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The Solicitors' Journal.

LONDON, MAY 16, 1874.

WE ARE GLAD TO OBSERVE that in the reprint of the Land Transfer Bill, as amended in committee on re-commitment, the reference to "agents," to which we drew attention when the Bill was first printed, has been expunged. Clause 115 (formerly 121) now confines the right of inspecting the register to the registered proprietor and any person authorised by him or by the court, or the person who has lodged any notice or *caveat* relating to the land, "and the solicitor or clerk of the solicitor of any such person." Clause 18 now states that cause may be shown against registration by any person, "or his counsel, certificated conveyancer, or solicitor." Another alteration of equal importance is that made in clause 154 (formerly 161), which now provides that "each district registrar and assistant district registrar shall be a barrister, *or attorney, or solicitor* of at least ten years' standing." The demand that solicitors should be eligible for these appointments, as urged in numerous letters in these columns, was unanswerable, and the Lord Chancellor has acted wisely in at once conceding the point. There still remains the question of eligibility to the offices of registrar and assistant registrars of the London office. As to this the Incorporated Law Society, in their observations on the Bill, say—"It is most anxiously hoped that every registrar appointed under this Act will be chosen on account of his apparent pre-eminent ability satisfactorily to discharge the duties of the office. Ten years' standing at the bar affords in itself no assurance of fitness, and there are many solicitors whose practical knowledge and ability would enable them to fill the office of registrar with the greatest satisfaction to the public. And whether a barrister or a solicitor be appointed, he will avail himself, in cases of difficulty, of the assistance of eminent conveyancing counsel. The Council see no reason why the choice of her Majesty should be restricted to barristers of ten or any other years' standing, or to barristers exclusively. The sole aim should be to find out and appoint the best man for the office. The preceding observations apply with even greater force to the appointment of assistant registrars. The Council are very decidedly of opinion that the best and most efficient assistant registrars will not be found among barristers of ten years' standing, to which class it is proposed to restrict the choice of the Lord Chancellor. Under the existing system solicitors prepare the abstracts of title and examine the deeds, and although they frequently consult eminent conveyancing counsel on the title deduced, they very often assume the responsibility of accepting titles without putting their clients to the expense of consulting counsel. Where an investigation of title is necessary, the system which has been in operation for centuries should be continued. The duties of assistant registrars will not be more important than those which devolve upon, and are admirably discharged by, the chief clerks to the equity judges, yet these are taken exclusively from the class of solicitors."

WE NOTE OTHER ALTERATIONS in the Bill of some importance. Thus the clause relating to tacking, the singular position of which we remarked, has been transferred to the Real Property (Vendors and Purchasers) Bill. The provision that the registrar, in case he is not satisfied with the title, so as to register the applicant for registration with an absolute or limited title, pursuant to his application, "*shall*" register him as proprietor only, has been amended by the insertion of words allowing the applicant, by notice in writing to the registrar, to withdraw the application for registration. The clause empowering the registrar on first registration with an absolute or limited title, and upon registration on death, to state on the register whether the land is free from succession duty, has been extended to tithes and land tax. An addition has been made to clause 6, enabling any applicant for registration with title absolute or limited, upon complying with such terms, if any, as the registrar may require, to apply for registration in respect of a title good subject to qualifications mentioned in the application, and in case of any such application the title is to be investigated, regard being had to such qualifications. Words have also been added to clause 7 enabling the registrar, on an application for registration as proprietor only, to dispense either wholly or partially with the particulars and statements required to be furnished by applicants for registration. By a sentence appended to clause 71 the registrar is empowered to decline to register any transfer not made in the form given in the schedule to the Act. The other alterations which have been made appear to be verbal.

THE COURT OF QUEEN'S BENCH, in *Grant* v. *Budd* (22 W. R. 544), have adhered, though with some reluctance on the part of one member of the court, to the decision of the Exchequer in *Charlesworth* v. *Holt* (22 W. R. 94, L. R. 9 Ex. 38), that in order to vacate the obligations of the parties to a separation deed, it must be shown by express words or necessary implication that the deed was intended to be limited to the continuance of the marriage. In the present case the difficulty did not arise which suggested itself to the mind of Bramwell, B., in *Charlesworth* v. *Holt*, whether the deed, being earlier than 22 & 23 Vict. c. 61, was within section 5 of the Act, so as to give power to the Court of Divorce to deal with it in the divorce proceedings according to *Worsley* v. *Worsley* (17 W. R. 743, L. R. 1 P. & D. 648). Here the deed was dated in 1867, and could therefore clearly have been dealt with under that Act. The case differed, however, in another circumstance also. In the former case it was the husband who was sued for the annual payment which he had covenanted to make; here it was a surety, and it was suggested that this made a difference; indeed, this circumstance seems to have been looked on by the defendant as his chief defence. We must confess, however, to being wholly unable to follow the reasoning by which he sought to make it available. As the Chief Justice pointed out, if the deed was for life and not for marriage, how could the event which determined the marriage, being an event necessarily, under the circumstances, contemplated as possible, yet not provided for, release the surety? It is difficult to see how the case could be thought to be within any of the rules releasing sureties. There was no alteration of the principal contract. And if the indisposition of mind to pay which the divorce was supposed to produce in the husband was such a circumstance affecting the condition of the debtor as would discharge the surety, it might as well be said that a surety was discharged because the debtor and the creditor had quarrelled, or because the former had taken up with peculiar views, religious or otherwise, which made his pecuniary success in life doubtful.

THE DECISION of the Full Court in *Ex parte Villars* has again drawn attention to the peculiar drafting of

the last Bankruptcy Act. It is to be regretted that the framer of this measure so frequently discarded all assistance from former statutes, and even where he apparently desired to make no change in the law, nevertheless chose to alter the form of its enactment. The result has necessarily been to occasion uncertainty and litigation. In the case in question, the statute of 1861 clearly and in terms provided for the circumstances which arose; enacting that the execution creditor should "be entitled to the proceeds of the execution notwithstanding the act of bankruptcy committed by the seizure and sale, unless the debtor be adjudged a bankrupt within fourteen days from the day of sale." The draftsman, having these plain and simple words before him, chose so to frame the 87th section of his Act as to leave it open to doubt whether the intention of that section was only to protect the sheriff or to secure the execution creditor. The profession assumed, naturally enough, that, since no alteration in the former rule was expressly enacted, none was intended, and the decision of Mellish, L.J., to the contrary came upon them as a surprise. The result of the affirmance of that judgment by the Full Court would have caused inconvenience and embarrassment to execution creditors, yet no sooner is it reversed than serious evils are pointed out as likely to arise to the general body of creditors. In his inveterate habit of unsettling, without definitely altering, the former law, the framer of the Act of 1869, instead of leaving the provisions contained in previous Bankruptcy Acts, from 5 Geo. 2 c. 30, s. 22, enabling a person whose debt is payable *in futuro* to petition as well as to prove, simply provided (section 6) that the debt of the petitioning creditor shall be "a liquidated sum due at law or in equity." Upon these words, Bacon, C.J., held in *Ex parte Sturt* (20 W. R. 200, L. R. 13 Eq. 309) that to constitute a good petitioning creditor's debt, the sum must be both due and payable, and the result is that a large class of creditors —those on bills not matured—however "diligent" and desirous they may be about depriving an execution creditor of the fruits of his levy within the fourteen days mentioned in section 87, are unable to present a petition in bankruptcy. Nor is this the whole extent of the grievance. The effect of the omission from the last Act of any provision corresponding to that of the Act of 1861, that except where the court shall otherwise direct, sales under an execution for a debt exceeding £50 shall be by public auction after three days' advertisement, is that the general body of creditors may be ignorant of the sale under the execution until it is too late to interfere. The sale in *Ex parte Villars* was by bill of sale (see 22 W. R. 397), and since this need not be registered for twenty-one days, the singular result follows, to which attention has been drawn by a correspondent of the *Times*, that "creditors are to use 'due diligence' to ascertain within fourteen days a fact which, if at all, need not be published for twenty-one days."

Since the introduction into the House of Lords of the Lord Chancellor's Real Property (Vendors and Purchasers) Bill, two clauses have been added as to estates vested in bare trustees, which seem to deserve more discussion than they have yet received. One of these clauses provides that "upon the death of a bare trustee of any corporeal or incorporeal hereditament of which such trustee was seised in fee simple, such hereditament shall vest like a chattel real in the legal personal representative from time to time of such trustee." The Bill contains no definition of a "bare trustee," but the phrase must, we conceive, have one of the two following meanings. Either it must (1) be confined to trustees who have dry legal estates vested in them without any powers or duties, or (2) it must include all trustees, whether with or without powers and duties, who have no beneficial interest. Whichever construction be adopted, the determination whether a person is or is not a bare trustee will often be a matter of some nicety, and may involve perusing and considering the whole of a long deed or will to see whether the trustee has not some beneficial interest or some power or discretionary trust which prevents the clause from applying. It may also be necessary to inquire into a variety of facts to ascertain whether the beneficial interest, or trust, or power, is still subsisting, or has determined. Surely this will cause much more expense and trouble than now arises from trust estates occasionally devolving upon infant heirs. The same objection applies to the next clause, which provides that "when any freehold or copyhold hereditament shall be vested in a married woman as a bare trustee, such woman may convey or surrender the same as if she were a *feme sole*." Another question which suggests itself on this clause is, who will be responsible if a married woman uses the power given to her by this clause to commit a breach of trust? Will the husband be responsible, or will the *cestuis que trust* be without a remedy?

Although the Bill has almost reached the last stage in the House of Lords, the phraseology employed requires careful supervision. For instance, sections 1 and 2 only apply to land and not to incorporeal hereditaments, and there is nothing to limit any of the first seven sections to England and Wales, though it is impossible they can be intended to apply to Scotland. The clauses as to bare trustees ought to apply to hereditaments vested in a bare trustee as a tenant in common with others, but not to those vested in him as joint tenant with others. The words used either include both these cases, or, as we think, exclude them.

According to section 4 the power of the personal representative of a mortgagee to reconvey the legal estate only arises "on payment of all sums secured by the mortgage." Will it not be necessary, on subsequent investigation of the title, to ascertain that the mortgage moneys have in fact been paid, unless the Bill expressly makes a statement to that effect by the executors conclusive?

The decision of the majority of the Court of Queen's Bench in *Fisher* v. *Liverpool Marine Insurance Company* (22 W. R. 13, L. R. 8 Q. B. 469, noticed *ante* p. 180) has been affirmed by the Court of Exchequer Chamber. It will be remembered that Blackburn, J., dissented from the opinion of the majority, and held that, inasmuch as when an insurance is made with companies, it is the practice for the broker to send a copy of the initialed slip to the company for them to make out the policy, and get it executed, instead of doing so himself, the company take upon themselves, as towards the intending assured, the duty of making out the policy which ordinarily falls upon the broker, and that in the present case the defendants, not having made out the policy were liable for neglect of their duty to endeavour to get the policy executed, that is, practically, they were liable just as if the policy had been executed in fact. In noticing the case we ventured to express the difficulty we felt in figuring to ourselves the duty on a person to endeavour to procure himself to execute an effectual policy; and we observe that Bramwell, B., happily describes this fiction as an "enormous subtlety." To have decided otherwise would have been in effect to repeal the statute, which makes an unstamped policy void.

Sir John Lubbock on Tuesday next will ask the Attorney-General whether, considering how general the Bank holidays have become, the Lord Chancellor will provide that the law courts and offices shall be closed on Whit-Monday.

The correspondent of a provincial paper has discovered that "in consequence of their failing to pass the last compulsory examination, upwards of fifty gentlemen—most of them 'sprigs of the nobility'—have just retired from the Inns of Court. Many of them are going into commerce."

INVESTMENT TRUSTS.

The last few years have produced a number of schemes which, if we may judge from their rapid multiplication and development, are in great favour with the public. "Trusts" have already made for themselves a separate place in the lists of securities in the daily papers. Government stocks, railway debentures, railway shares, telegraph cables, American securities, and many other classes of investment have been made the subject of the new projects. It is not probable that all the "trusts" now or hereafter to be launched will be successful, and as some of our readers may have to give advice as to the position and liabilities of the parties interested in them it may be convenient to suggest some of the questions which may possibly arise in the development or decay of these schemes.

It cannot be denied that the idea is ingenious and full of promise. Even if one of the earliest "trusts" had not been brought out with the name of the late Lord Westbury on its prospectus, the plan would have commended itself to every thoughtful mind. An overworked professional man has usually neither need for his capital in his profession, nor time for acquiring information as to investments. He usually (we believe) invests in the English Funds such part, if any, of his earnings as he does not want for immediate use. But, say the advocates of "investment trusts," he need do so no longer. Here are men of the highest character, associated in the management of a "trust," who will make it their business to invest any sum in selected kinds of specified securities, while the known danger of having all the eggs in one basket cannot arise, as the money advanced by each depositor is spread over a large area of investments. Calls, it is urged, are impossible, and lapse of time, not winding-up orders, will bring the scheme to an end.

But in reading or hearing these statements, a lawyer cannot but ask himself, "What are these associations?" Are they partnerships? Are they companies? Is the relation only that of trustee and *cestui que trust*? Or, to put the question in its most general and, perhaps, most alarming form, are they "companies, associations, or partnerships consisting of more than twenty persons, formed for the purpose of carrying on a business (other than banking), that has for its object the acquisition of gain by the company, association, or partnership, or by the individual members thereof," within the 4th section of the Companies Act, 1862. That they *can* be registered under the Companies Act is clear, for some of them are so registered. The question we desire to call attention to is whether they *must* be so registered.

Now what is to be urged to protect these associations from the necessity of registration? Probably something of this kind—"We are merely in the position of a large and united family whose property is under the care of trustees according to the terms of a family settlement. Who ever heard that when more than twenty persons became interested in property comprised in the marriage settlement of one of their ancestors they required registration as a company. Each holder of a certificate is in the position of a *cestui que trust* and in no other position. Among such holders there is no *nexus*." But is this analogy complete? Surely the object which a husband and wife have in view in associating in the bonds of a marriage settlement, and the object of the purchasers of a certificate of an "investment trust" differ in this respect, that in the one case the property is placed in the hands of trustees for safe custody; in the other for profit; or (using the words of the 4th section of the Companies Act) "for the acquisition of gain by the individual members of the association." That there is a relation of trustee and *cestui que trust* is true enough, but that relation exists in a certain sense in every company between the directors and the shareholders. We may add on this branch of the subject that if these schemes are merely "trusts," properly so called, it is competent to any holder of any beneficial interest under the trust deed to file a bill in the Court of Chancery praying that the trusts contained in the deed may be carried into execution under the decree and direction of that court, a contingency worthy of consideration in framing the trust deeds of these associations.

A recent decision throws, we think, some light on the questions we are considering. The case of *In re the Royal Victoria Palace Syndicate* (22 W. R. 256), goes some way towards showing that the majority of the "investment trusts" are not beyond the reach of a winding-up order. In that case two gentlemen were minded to purchase the lease of a theatre, and to re-sell it to a joint stock company which was to be formed for the purpose of buying it. By a "private and confidential" circular they invited their friends to subscribe towards the purchase, promising them £300 for each £100, less a small per centage for expenses. The company which was to purchase was duly formed, registered, and wound up. A petition was then presented asking that the original partnership (which had not been registered) might be wound up. It was urged in opposition that the contract was merely one of loan, but Bacon, V.C., held that the concern was an "association" within the meaning of the Companies Act, and made a winding up order. The Vice-Chancellor's decision was affirmed by the court of appeal.

If these investment trusts are associations which ought to be registered many important subsidiary questions at once arise. Although companies with shares transferable to bearer are probably not illegal at common law, yet the reasoning in such decisions as *Barclay's case* (26 Beav. 177); *Ex parte Grisewood* (4 De G. & J. 544) is materially modified by the Act of 1862. It is extremely difficult to see how shares issued at something less than the nominal amount can, in the present state of the law, be made transferable to bearer. The subject was touched upon, but not settled, in *In re the General Company for the Promotion of Land Credit* (18 W. R. 505, L. R. 5 Ch. 363), where Giffard, L.J., said, "First of all whether these shares are so transferable to bearer that the persons holding them are not members of the company is not a matter upon which I think it essential for me to give an opinion. Either those persons are members of the company and ought to be on the register, or they are not members of the company, then that portion of the articles is *ultra vires*; but it would not invalidate the partnership altogether, or render the company not a company, but would simply lead to this, that the portion of the articles *pro tanto* would be null and void." The subject was again referred to in the same case on appeal, *sub nom. The Princess Reuss* v. *Bos* (L. R. 5 E. & I. 176). Again, if these associations are companies within the Companies Acts, are they limited or unlimited? Clearly the latter, for the requirements of the statute which alone can limit liability in such cases have in many instances not been complied with. Once more, who are the contributories and at what period does the liability to contribute commence and end?

We do not raise these questions in order to create uneasiness in the minds of persons who have invested in these securities. We are, we conceive, fulfilling one of the duties cast upon a professional journal in suggesting how legal considerations may affect new ideas of the outside world.

PROFESSIONAL OPINION ON THE LAND TRANSFER BILL.

If the remarks made during Committee in the Lords (or such of them at least as reached the ears of the reporters) added little of value to the discussion on the Land Transfer Bill, there has, at all events, been no lack of outside criticism on the provisions of the measure. This is as it should be. Since the Bill will almost certainly pass into law, it is obviously in the highest degree desirable that the profession should attain some general agreement as to the amendments which ought to be

urged in Committee in the Commons. We are glad to observe that some progress has been made towards this result. The country law societies have indicated with promptness and clearness the points in which they deem the Bill defective, and from their resolutions and reports, and the letters of Mr. Johnson, it may be gathered that little difference of opinion exists among the members of this important section of the profession. There is a general disposition to give the measure a fair trial, and, at least among the northern practitioners, a general approval of the frame of the Bill. But there is an equally general agreement that in several respects the Bill, as it stood when first introduced, was calculated to cause injustice and inconvenience. Upon two of these points, the reference to "agents" and the exclusion of solicitors from all appointments, amendments have been introduced into the measure; but there are at least two other questions of grave importance to the profession.

The first of these we have repeatedly referred to—the absence of any provision for the general establishment of district registries. We need not recapitulate the reasons we have in previous articles urged in favour of the localisation of the scheme proposed by the Bill; but it may be well to point out the probability which exists that the provisions in the new measure relating to this subject will prove illusory. Lord Selborne's Bill empowered the board of registry, consisting of the Lord Chancellor, the Chancellor of the Exchequer, and the Registrar, to "divide England into districts for the purposes of registration of title," and "to declare by what assistant registrar, examiner of title, officers and servants the business of registration in each district is to be conducted." The Chancellor and Registrar, constituting the majority of the board, were thus practically entrusted with the settlement of the districts, the number of officers to be attached to the registries, and the functions of the district assistant registrar. The determination of the general character of these institutions was in fact left in the hands of the persons most familiar with their working and most interested in their success. Now, under Lord Cairns' measure, all this is altered. The Chancellor cannot move a step in the establishment of a district registry without the concurrence of the Treasury. What that means may be gathered from the statement of the late Lord Chancellor, who, speaking of the evidence of the Treasury witnesses before the Committee on Civil Service Expenditure, said that it might "convey the impression that those on whom the law has imposed the duty of appointing to vacant offices connected with the administration of justice are justly liable to the imputation of considering their patronage more than their duty, unless, upon every occasion of a vacancy in any office, they act as if there was a presumption that the office ought to be reduced or abolished." Is it likely that officers pervaded with these notions will be easily brought to see "that the amount of business to be transacted in a particular district will be sufficient to pay the expenses" of such a staff as appears to be contemplated by the Bill for the district registries? The interest of the Treasury is to stave off as long as possible the establishment of any district registry. It seems, moreover, from Lord Cairns' speech, that the probability of any district registry being self-supporting is to be decided by the amount of business transacted in the corresponding district division of the London office; but since the expense and inconvenience attending the transaction of all business in town will tend to prevent country landowners from voluntarily resorting to the registry, the business done in the district division of the London office will really be no index to the amount of that which might come to the district registry. If the motive for surrounding the proposal to establish district registries with these restrictions is an economical one, might not this end be better attained by diminishing the cost rather than the number of district registries? Why should they not be, as the Land Transfer Commissioners suggested, "set up upon a very humble scale at first?" If any reliance is to be placed upon the opinion of those best qualified to judge on the subject, it is clear that if registration is to be made compulsory district registries must be established, and it seems to augur little confidence in the success of the system of voluntary registration to defer their establishment until compulsion has come into operation, and they can no longer be denied.

This brings us to the other question to which we referred. The compulsion clauses of the Bill have been attacked from different sides. Conveyancers whose opinions are entitled to great weight have ridiculed them as "grotesque" and ineffective, while the country law societies, evidently deeming them likely to be efficient, deprecate their introduction until experience has shown whether the scheme proposed by the Bill is any improvement on the existing system of conveyancing. Is there any reason, asks, in substance, their able spokesman Mr. Johnson, why the Bill should establish a system of compulsory registration which is not to come into operation for three years? Why should not this be left to the amending Act which is now the invariable supplement to measures of importance? The more reasonable plan would seem to be to wait and see how the scheme works for a few years before providing for the application of compulsion. If the system proves a success there will be no difficulty in inducing Parliament to make registration compulsory. If the system is found to give rise to evils which counterbalance its advantages, registration under it ought not to be made compulsory. The majority of the London solicitors are apparently agreed with their provincial brethren on this point. "A large majority of the Council, and, they have reason to believe, of solicitors generally throughout the country," say the Incorporated Law Society in their observations on the Bill, "are of opinion that registration should not be made compulsory until experience for a much longer period than three years shall have tested the efficiency of the new system." The objection appears to us to be well worthy of consideration. Nothing would seem to be lost by the omission from the present Bill of the clauses relating to compulsion, for that omission can, if desired, be easily supplied hereafter, while it would afford an opportunity for gaining experience of the effects of the system established by the Bill upon the facility and cheapness of transfer *after* registration—a question with reference to which we can at present only speculate without possessing any means of forming a decisive opinion. The matter is one especially for the consideration of landowners, and it seems likely that if they can be brought to take any interest in the measure they will endorse the opinion on this subject expressed by the Law Societies.

SPECIAL CORRESPONDENCE.

Compulsory Registration.

Sir,—The Lord Chancellor has called his form of compulsion "mild"; an eminent conveyancer has spoken of it still more slightingly. But were it ever so stringent, to what does it compel? Not to registration with an absolute or a limited title, but only to registration as proprietor. The conditions of that kind of registration are described and comprised in ss. 7, 8, and 9, and I fail to discover in them any ground for alarm. The attention of those who are alarmed has been apparently fixed on the two former kinds of registration, whereas the gist and value of the Bill are to be found in its providing a system whereby registered ownership ripens surely and by mere lapse of time into absolute title. It also provides that owners may, but it nowhere says that they shall, accelerate the process according to their means of doing so.

I agree that any compulsory system of registration must be tested by its operation on small transactions.

To any such system which shall not be oppressive when applied to these transactions, three things are essential, viz., an accessible registry, a proper form of register, and a proper scale of office fees.

As to the first, if any doubt remained, it must be dispelled by the Birmingham figures quoted by Mr. Johnson. Local registries must exist, and that in proportion to the wants of their locality. Nor does this involve the appalling array of officials imagined by some. Several thousand deeds pass through the Middlesex Registry in the course of the year, and the machinery of ownership registration when made compulsory may be more simple and much cheaper, for no "memorial" will be required.

What, then, will be added by registration to the expense of (say) a £200 purchase? The attendances would be (1) searching the register, (2) attending with the deed, (3) getting away the land certificate. The disbursements would be, (1) search fee, say 1s.; (2) registration fee (which, if 1s. per cent., would be 2s.); and (3) plan. If a plan already exists, a copy on linen should not cost more than a few shillings. Let us say £1 for attendances and 10s. for disbursements. On the other hand the saving in "folios" on the deed of transfer will go a good way towards the registration expenses. In the result I doubt whether on such a purchase the whole additional cost will amount to £1, and in register counties there will be a substantial saving. If a plan has to be made on purpose, no doubt the addition will be larger; but in the case of town lots this can seldom occur, and where it does the first transaction only will be affected.

As to the form of the register: three things appear indispensable, the utmost simplicity in the form of entries, a well-planned index, and a standard map of reference.

As to fees of registration: there can be no reason why they should not be fixed *ad valorem* at a very low rate. The fees at the Middlesex Registry produce a large urplus income.

I heartily agree with Mr. Johnson that solicitors are deeply interested in having an acceptable system established, and, further, that, as part of any such system, "very numerous local registries" must be established, "presided over by much humbler functionaries" than appear to be contemplated in the Bill. The applications for registration with absolute title will be very few, for reasons which need not be stated to solicitors; nor do I expect that the applications to register with limited title will be very numerous. If so, the *judicial* staff need not be large, and may be stationed at a few central spots; while the periodical transmission of duplicates of the local registers to the principal registry in London would provide in the fairest and cheapest way for the convenience of town and country alike.

Mr. Johnson states in his first letter, and repeats in his second, as an objection to compulsory registration, that it will involve a double series of deeds—one passing the legal title, the other the beneficial interest. But in any workable system of free transfer you must either thus "divorce" the legal and equitable ownership, or you must declare that a purchaser shall not be bound by express notice of trusts; and, without such a declaration, I do not see how Mr. Mackay's system would meet the difficulty.

Perhaps it is hardly practical to discuss the question at all. *A fortiori*, if the late Government could and did carry the Judicature Act, the present Government can and will carry this Bill, substantially as it stands. It is more to our purpose to see that we are not overdone with high-priced officials (the better paid the more difficult to get rid of), and that the working details shall interfere as little as may be with the accustomed course of business.

To these subjects I would add another—that of our remuneration, not merely under this Act, but generally—a subject on which passing events confer a new importance and a new claim to be considered by those in authority.

A.

RECENT DECISIONS.

EQUITY.

PURCHASE OF LANDS BY SCHOOL BOARDS.

Clark v. *School Board of London*, L.C. & L.JJ., 22 W. R. 354, L. R. 9 Ch. 120.

It is worth while to note that the Court of Appeal has held that section 20 of the Elementary Education Act, providing that "the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, shall be incorporated with this Act . . . and land shall be construed to include any right over land," gives School Boards the full benefit of all the compulsory provisions of the incorporated Act, including those relating to lands injuriously affected, the intention of the Legislature being to enable the School Board to acquire land for the purposes of the Education Act, wholly free from any easement tending to interfere with the use of the land for those purposes. In *Clark* v. *School Board of London* the plaintiff was entitled to ancient lights, which the schools about to be built by the Board would injuriously affect. It was contended for the plaintiff that the Board ought to have given him notice to treat under the purchase clauses of the Act of 1845, reliance being placed on the definition of land in the Education Act as including "any right over land"; but the court held that, notwithstanding these words, section 68 of the Lands Clauses Act, relating to lands injuriously affected, was the compensation clause properly applicable to the case. The practical result is that a School Board may lawfully commence building their schools without previously making or tendering compensation to the owners of any easements affecting the land they have purchased as the site for such schools.

COMMON LAW.

BASTARDY ORDER—SECOND SUMMONS.

Reg. v. *Lancashire Justices*, Q.B., 22 W. R, 329.

In noticing (16 S. J. 160) the case of *Reg.* v. *Flintshire Justices* (20 W. R. 94, *sub nom. Reg.* v. *Glynne*, L. R. 7 Q. B. 16) we pointed out that the effect of that and previous decisions, with respect to a second application in bastardy on the same matter, was as follows:—(1) That where a summons has been heard and dismissed by justices on the merits, although the decision is not a *res judicata*, and the justices are therefore bound to entertain a second application, and may then make the order they had refused before, yet they are at liberty to treat, and, in the absence of very special circumstances, should treat, their first decision as practically conclusive; (2) that where their order has been quashed on appeal to the Quarter Sessions, the judgment of Quarter Sessions is final and conclusive, and bars any subsequent application; but (3) where the dismissal by the justices has been on a point of form, and not on the merits, the first decision ought not to be treated as conclusive; and (4) it has been at least suggested that the decision of the Quarter Sessions quashing an order is not a bar to a second application where it proceeded only on form and not on merits.

The third of these rules was acted upon in the present case, but the decision also involved a point which is, we believe, novel. A bastardy summons having been issued on an application properly made, was heard and dismissed on a formal objection. A fresh summons was then issued on the old application, and an order was made. It was attempted to set this order aside, on the ground that the application was exhausted by the first summons, and that to ground a fresh summons a fresh application was needed; but the contrary was held. In *Potts* v. *Cambridge* (6 W. R. 214, 8 E. & B. 847) there was

only one summons; all that was done was that the issue of the summons was delayed. In *R.* v. *Pickford* (9 W. R. 634, E. B. & E. 77) there was a second application; so also in *R.* v. *Machen* (14 Q. B. 74), *R.* v. *Herrington* (12 W. R. 420), and *R.* v. *Gaunt* (15 W. R. 1172, L. R. 2 Q. B. 466). The importance of allowing a second summons to issue without a fresh application is manifest, having regard to the limit of time within which such application must be made.

THE RIGHT OF THE PUBLIC TO INSPECT THE RATEBOOKS OF RAILWAY COMPANIES.

The Railway Commissioners on Tuesday gave a decision which is of wider import than at first sight might appear. A summons was issued by a Mr. Perkins, an accountant, of Liverpool, against the London and North Western Railway Company, to show cause why they should not allow him an inspection of a ratebook at one of their stations by examining the same, and taking extracts therefrom, and making copies thereof.

The application was made under section 14 of the Regulation of Railways' Act, 1873 (36 & 37 Vict. c. 48), which enacts (*inter alia*) that every railway company shall keep at each of their stations books showing every rate for the time being charged for the carriage of traffic (other than passengers and their luggage) from that station to any place to which they book, and that every such book shall, during all reasonable hours, be open to the inspection of any person without the payment of any fee, and that any company failing to comply with these provisions shall, for each offence, and in case of a continuing offence for every day during which it continues, be liable to a penalty of £5, to be recovered before two justices.

It was contended on behalf of the applicant, who had been instructed by an association of traders to inspect the rate-book, that (although, as he admitted, he was not a trader, and had no intention of sending goods from such station) he was entitled to go and inspect the books without the railway company inquiring with what object he went there, and to take such a copy of the rate book as he might deem necessary for his purpose, it not being for the railway company to inquire what was the object of inspection and then to limit inspection according to the object.

The North Western Railway Company showed cause against the summons, contending, first, that the Commissioners had no power to make any order for inspection, as the remedy was by proceeding before two justices for penalties. Secondly, that, assuming the Commissioners had the power, the right of inspection was given only to traders, that a person seeking inspection was entitled to see only specific rates in the amount whereof he must show himself in some way interested; and, lastly, that if a right to inspection existed in this case it did not include the further right to copy or take extracts from the rate book.

The Commissioners held that under section 6 of 36 & 37 Vict. c. 48, they had power to give effect to every provision of their Act, and that their jurisdiction to grant an injunction was not taken away by the fact of justices having also the power to inflict a penalty for default of the company; that the right of inspection given by section 14 was general, and it was immaterial what motive or object a person had in desiring inspection; that the words "open to inspection" are tantamount to saying that there shall be a publication of the rate book; that inspection under this statute included the right of taking extracts or copies, or, at all events, that the court acting under this statute would grant this right as one ancillary to inspection, and for the purpose of making it effectual; and that the rate book should be available at all reasonable hours for the inspection of any member of the public, who had as much right to see it as he had to see the list of passenger rates under 31 & 32 Vict. c. 119, s. 17. This being the fist case of the kind the Commissioners made an order for the inspection without costs. During the argument reference was made to *Bennett* v. *Griffiths* (9 W. R. 332) and to *Cory* v. *Yarmouth and Norwich Railway Company* (3 Hare. 593).

NOTES.

HOME.

We have received, too late for publication this week, the lengthy and elaborate observations of the Council of the Incorporated Law Society on the Land Transfer Bill.

"An English Solicitor," writing to the *Times*, gives his experiences of the Court recently referred to in the House of Lords. "I have lately returned, he says, from attending professionally a sale at Dublin in the Irish Encumbered Estates Court. It had taken over two years to bring the matter to the point of sale, but at last the day arrived, and the property sold for £12,000. From the time consumed, the elaborate plans and rentals prepared, the piles of notices served, and the general elaborateness of every single step, I expected to find that the costs would be heavy, but I was not prepared for my agent's statement that about £200 would be required by the Government officer for plans, &c., and that the whole expenses would probably amount to £700, especially as the property was some years ago bought by the late owner through the court itself with an indefeasible title. Being, unfortunately, also interested in another Irish property, which for the past eighteen months has been undergoing the process of the court, I took the opportunity of my visit to Dublin to call on the solicitor having the carriage of the sale in that case. I was foolish enough to hope that after eighteen months the day of sale would have been fixed, but learnt that, in all probability, no day could be named until next November. Accustomed in England, as we are, to sell the like amount of property in as few months as in these cases years are required, and for little more than as many shillings of expense as here pounds are squandered, it is not to be wondered if I discoursed somewhat warmly to my Irish friends on the demerits of their and the advantages of our system. They could not, and did not, attempt to dispute my propositions."

FOREIGN.

United States.

We learn from the *American Law Review* that in *Adams* v. *Burke*, before the Supreme Court, a new and interesting question was decided. The plaintiff was the assignee of a patent for an improvement in coffin-lids. Defendant was an undertaker, and used in his business coffins with the patented improvement. Defendant bought his coffins, within a circle of ten miles, of persons to whom the right to manufacture, sell, and use within that circle had been sold. He *used* the coffins so bought in the prosecution of his business, but outside of the ten-mile circle. And the court held he was protected in that use, and that when the coffins were once lawfully made and sold, there was no restriction on their use to be implied for the benefit of the patentee or his assigns.

Belgium.

The second chamber of the *Tribunal Civil* of Brussels was recently occupied with the construction of a bequest contained in the will of a M. Thiry. The testator gave and bequeathed "to my godchild Jeanne Lagrâce who lives with me everything that is in the room she occupies, personal property and household furniture, in short all that is to be found in that room at the moment of my decease." After his death there were discovered inside a statuette which stood in Jeanne Lagrâce's room Belgium Government and other bonds to the value of 36,000 francs. These were claimed by Miss Lagrâce as included within the legacy to her. The court held that she was entitled to them, and this decision was subsequently affirmed by the Court of Appeal. The observations of Lord Hardwicke upon similar words in *Roberts* v. *Kuffin*, 2 Atk. 113, may be referred to.

The Benchers of Lincoln's Inn have granted the use of their hall to the United Law Clerks' Society for the next Festival, and the Lord Chief Justice of England has promised to take the chair.

GENERAL CORRESPONDENCE.

Doncaster's Claim to Parliamentary Representation.

[*To the Editor of the Solicitors' Journal.*]

Sir,—Having more than once criticised—and not very favourably—Doncaster's claim to Parliamentary representation, I trust you may be able to find room for Mr. Sandars's opinion upon the subject.

The rule, no doubt, is, *Vigilantibus non dormientibus jura subveniunt.* Otherwise our position would be, as Mr. Sandars says, "incontestable;" and we shall see whether the maxim applies to us or not.

Enclosed is a copy of the opinion.

W. E. Shirley.

[The following is the copy of the opinion of counsel referred to by our correspondent.]

Opinion.

The general position, that towns which have once sent members to Parliament do not lose their right by lapse of time, seems to me incontestable. Nor do I see anything in the Reform Acts to take the right away (unless 30 & 31 Vict. c. 102, s. 17, might be construed as doing so).

The mode of proceeding, by those interested on behalf of a town seeking to have its representation "*restored*," is to petition the House of Commons to order the Speaker to issue his warrant for a writ to the clerk of the Crown in Chancery; and it would be entirely for the House to say whether such an order should be made or not.

The arguments, however, likely to be used against it, appear so extremely strong that, as it seems to me, there is no reasonable probability of the application being successful; though that is hardly a question of "*law*," but of what the House of Commons would be likely to do under given circumstances. I can only state the arguments, and leave the decision.

The following objections might be urged:—

1. While the Commons in the reigns of James I. and Charles I. were in the habit of acceding to the petitions of boroughs to have Parliamentary representation "*restored*," the Crown possessed the undisputed power of restoring old boroughs and creating new ones. But that power has never been exercised since the creation of Newark, in the time of Charles II. Moreover, while the Crown exercised the right, there were political reasons for the Commons restoring boroughs where the influence of the Crown was not felt, and no one would dream now of a Prime Minister advising the Crown to create or restore a borough. The legal right of the Crown, indeed, remains; but its exercise would be so impolitic as to be impossible; and it might be urged that the counteracting power of the Commons to restore boroughs should be treated as equally a thing of the past.

2. There are, apparently, forty-five boroughs in the same position as Doncaster, and to restore them all would be to upset the policy of the Reform Act of 1832, as most of them are places of utter insignificance.

3. Three boroughs that in the time of Edward I. sent burgesses to Parliament, were restored by the Act of 1832, viz., Greenwich, Dudley, and Kidderminster. This may be taken, perhaps, to show that, in modern days, boroughs must be "*restored*" by statute.

4. There is nothing *in law* to limit the number of English members; but there is, nevertheless, a *tacit understanding* that English members shall not have above a certain, not very definite, majority over Scotch and Irish members; and in 1868, rather than that the size of the House should be increased, seven seats were taken from England and given to Scotland.

5. Both the Reform Acts of 1832 and 1867 were framed, debated, and passed on the assumption that Parliament had the whole scheme of representation before it; and the notion that a simple majority of the House of Commons could, any day, materially alter the scheme, by ordering the Speaker to issue writs to boroughs which have not returned members for many hundred years seems totally inconsistent with the views both of those who supported and those who opposed those measures.

Lincoln's-inn, April 21, 1874. T. C. Sandars.

COURTS.

BANKRUPTCY.

(Before Mr. Registrar Murray, sitting as Chief Judge.)

May 6.—*Re Bull.*

A proof by a solicitor for law costs was admitted at a first meeting of creditors, subject to taxation, if required by the trustee. The trustee (a professional accountant) afterwards admitted the proof unconditionally without taxation.

Upon an application being made under the 48th section by the bankrupt for an order of discharge, based upon a resolution of creditors passed by a majority of one, who voted by proxy,

Held, (1) *that the court had no authority to question the validity of the proof, and* (2) *that the proxy had a right to vote upon the resolution.*

This was an application on behalf of a bankrupt for an order of discharge under the 48th section, notwithstanding that the bankruptcy had not been closed.

At a general meeting of creditors, held on the 19th March last, the following special resolutions were passed:—

1stly. That the creditors of the bankrupt hereby assent to the bankrupt applying to the court for an order of discharge, although the bankruptcy has not been closed.

2ndly. That in the opinion of the creditors of the bankrupt his bankruptcy, or the failure to pay a dividend of 10s. in the pound, has arisen from circumstances for which the said bankrupt cannot, justly, be held responsible, and they desire that an order of discharge should be granted to the bankrupt.

At the first meeting of creditors for proof of debts, and the appointment of a trustee, Messrs. Evans, Laing, & Eagles tendered a proof against the estate for the sum of £280 in respect of law costs, and the trustee admitted the proof, subject to taxation, if required, by him. Messrs. Evans & Co., at the meeting of the 19th of March, voted in favour of the resolution; and the resolution was passed by a majority of one creditor, who voted by proxy.

Laing (solicitor), in support of the application.

Munns (solicitor), for a dissenting creditor, *contra.*—The vote of Messrs. Evans & Co. ought not to be counted, for their proof was admitted conditionally, and they should not be considered as creditors. The trustee in this case was a professional accountant, and had no means of judging whether the claim for costs was right or wrong. The bill should have been taxed and the correct amount ascertained. Secondly, the resolution was passed by the vote of a proxy. This was irregular.

Laing was not called upon to reply.

Murray, Registrar, said the bill of costs had been proved subject to taxation if required by the trustee. It was in the discretion of the trustee to tax the bill or not, as he should be advised. The trustee, in the exercise of his discretion, or acting upon the advice of his solicitor, afterwards admitted the proof without qualification; and it was impossible for the court to go behind that proof and say that a statutory majority of creditors had not assented to the resolution. As to the second objection, that the resolution was passed by the vote of a proxy, that was a question as to which he could not interfere. The act of Parliament provided that a creditor might appoint a proxy, and that, if he did so, the proxy should have all the powers of the creditor himself. The question in this case was, was there a majority? Had the resolution been properly passed? The matter had been referred to the Registrar to say whether the statutory majority had assented, and he certified that they had. Therefore he was bound to grant the order of discharge.

Solicitors, *Lewis, Munns, & Co.*; *Evans, Laing, & Eagles.*

COUNTY COURTS.

Burnley.

(Before W. T. S. Daniel, Esq., Q.C., Judge.)

May 7.—*Parkinson* v. *Lancashire and Yorkshire Railway Company.*

The published train tables of a railway company and the ticket issued by them to a passenger form together the contract between them. And though the company make it part of their contract with the passenger that they do not guarantee the time of the arrival or departure of their trains as stated in

their train tables, and will not be responsible for any delay or detention, or be liable for any loss, injury, or inconvenience occasioned thereby, yet between places on their own lines they are liable for delay if without reasonable excuse they omit to use all ordinary means in their power to cause the passenger to be conveyed to the place of destination mentioned on his ticket at the time mentioned in their train tables.

The action was brought to recover the sum of £1 1s., as damages for breach of contract by the defendants in not carrying the plaintiff as a passenger by their railway with reasonable care and diligence from Burnley to Barnsley on the 27th January last.

Francis Hartley appeared for the plaintiff.

Nowell for the defendants.

His HONOUR said—The plaintiff is a drysalter residing at Burnley, and has for two years past been in the habit of travelling from Burnley to Barnsley by the defendants' line upon business, making his business appointments at Barnsley in reliance upon the journey from Burnley to Barnsley being accomplished in the time represented by the company's time bills. By their bills the company represent that a train starting from Preston at 8.5 a.m. will arrive at Burnley at 8.55 a.m., and arrive at Wakefield at 10.30, and from Wakefield a train will start at 11 a.m. and arrive at Barnsley at 11.30. The lines from Burnley to Wakefield and from Wakefield to Barnsley are parts of the defendants' system of railway, and under their exclusive management and control. By their time tables the defendants give notice that they do not guarantee that their trains shall arrive and depart at the times stated in the time tables, nor will they be accountable for any loss, inconvenience, or injury which may arise from delay or detention. On the 27th January last the plaintiff took a third class ticket at Burnley for Barnsley by the train advertised to leave Burnley at 8.55 a.m., and he had made his business arrangements at Barnsley for the day in expectation of arriving there at about 11.30. The train did not leave Burnley until 9.4 a.m.; and it was brought to a stand at a place about three miles from Burnley, in consequence of the axle of the engine becoming overheated. When the train stopped, a shunting engine came up, and with as little loss of time as possible the one engine was detached from and the other engine attached to the train, and it proceeded with due speed to Todmorden. In consequence of the detention thus caused the Burnley train did not reach the Todmorden station till 9.28, after the train from Rochdale to which the through carriage from Burnley would ordinarily be attached had been despatched. It was proved to be a direction by the directors to the station master at Todmorden not to detain the Rochdale train, if the train from Preston and Burnley did not arrive in due time. On arriving at the Todmorden station, finding the train he expected to go by had left, the plaintiff was told by the station master that there was another train expected shortly by which he could be forwarded to Wakefield, in time, as the plaintiff hoped, for the Barnsley train. This train was the Liverpool portion of the Rochdale train which had not arrived at Rochdale in time to be united to the Manchester portion. The train arrived at Todmorden at 9.52 and was despatched at 9.55. The regular time from Todmorden to Wakefield by the train leaving at 9.25 is one hour and five minutes, leaving at 9.25 and arriving at Wakefield at 10.30. Leaving Todmorden, therefore, by the train at 9.55, there was time to have enabled the plaintiff to arrive at Wakefield at 11 a.m., in time for the train from Wakefield to Barnsley. It appeared in evidence that the station master at Wakefield has a discretion to detain the train for Barnsley a reasonable time if he has notice by telegraph that any particular train has been detained. The train in question having left Todmorden at 9.55, proceeded to Sowerby-bridge, and according to the regular time of transit ought to have been there in thirty minutes, that is at 10.25, and no evidence having been given to the contrary, it is assumed it did arrive at that time. When the train arrives at Sowerby-bridge, it is again subdivided—and in the ordinary course five minutes are allowed for this sub-division of the train and re-arrangement of the traffic. Upon the present occasion, contrary to the usual course, the Liverpool carriages were not forwarded to Normanton, but were sent forward with passengers and parcels to Halifax, Bradford, and Leeds, and the plaintiff, with other passengers for Normanton and intermediate stations, including Wakefield, were put into other carriages on a siding and detained fifteen minutes before an engine was brought forward and they were despatched. In the result the plaintiff did not arrive at Wakefield until 11.20: he then found that the train for Barnsley had gone, carrying with it some passengers who had come by the train which left Todmorden at 9.25. On applying to the station master at Wakefield, plaintiff was told by him that he was not aware that the train by which he came was coming, or that any delay had occurred on any part of the line, or that any passengers had been detained beyond the usual time; and that if he had received a telegram from either Todmorden or Sowerby-bridge informing him of what had occurred, and that passengers were coming for Barnsley, he could, and would, have stopped the train. There was then no other train from Wakefield to Barnsley till 2.10 p.m., by which train the plaintiff went, and reached Barnsley at 2.40 p.m., three hours and ten minutes after the time which he was induced by the defendants' time tables to believe he should have arrived there; and, in consequence, he was prevented keeping business engagements for which he had arranged, and was under the necessity of making another journey to Barnsley on a subsequent day, in respect of which he incurred for railway fare and expenses £1 1s.

The amount of the expenses sought to be recovered was not questioned by the defendants; but the defence was rested upon the ground that the facts showed no breach of contract on their part—that they had used all reasonable care and diligence in carrying the plaintiff to Barnsley; and that they were not responsible for delays which were not the result of negligence on their part. It was not contended, on the part of the company, that the notice contained in their time tables, and which, it was proved, was also printed upon the ticket issued to the plaintiff, would absolve them from responsibility for any delay which was the result of negligence on the part of their servants; but they denied that there was any proof in this case of negligence. It was faintly urged for them that the public are not justified in making business arrangements dependent upon the times mentioned in the time bills for the arrival and departure of trains; but this argument would involve the proposition that the time bills are not imported into the contract, and that if they carry the passenger to his place of destination safely the time of his arrival is not material; in short that mere unpunctuality, though it might have been avoided, is no breach of contract. I think this is not maintainable. The time bills are, in my opinion, as much part of the contract by the company with the passenger who applies for, receives, and pays for a ticket on the faith of them, as the notice by the company, whether printed upon the ticket (as in this case), or inserted in the time bills only, is (so far as it is not invalid in law) a part of the contract by the passenger with the company. I think the case of *Denton* v. *Great Northern Railway Company*, 4 W. R. 240, 5 E. & B. 860, is an authority for the proposition that the time bills and ticket formed together in this case a contract by the railway company with the plaintiff to convey him from Burnley to Barnsley safely, and according to the time stated, using reasonable care and diligence for that purpose; but they would not be liable for mere unpunctuality in the time of starting or arrival, nor for delay in transit, if such reasonable care and diligence were used. In this case the question is were such reasonable care and diligence used. The defendants insist that they were, and they say that the cause of delay, *fons et origo mali*, was the detention of the train between Burnley and Todmorden, owing to the heated axle, and that this was an accident beyond the control of the company. To my mind the proof of this is not clear. It was ingeniously suggested by Mr. Nowell that the heating might have arisen from some small piece of dust or dirt which might, unperceived by the engineer or stoker, have found its way into the axle of the engine after the train had left Burnley, thus causing the heating through extra friction; but there was no evidence which would warrant the suggestion, and my eyes must not be so blinded as not to see that, neither engineer or stoker being called, it is more probable that there was neglect in not properly examining or attending to the engine at Burnley while the train was stopping there, considering that the engine had been driven at express speed from Preston, and it was stated to be a new engine. But I don't think the case turns upon the fact of detention between Burnley and Todmorden, because, as the train was nine minutes behind time in starting from Burnley (having left at 9.4 instead of 8.55), and as the ordinary time of running between Burnley and

Todmorden by that train is twenty minutes, the train, if there had been no detention on the way, could not have reached Todmorden until 9.24, only one minute before the Manchester and Liverpool train would start. There would not, therefore, have been time to have attached the Preston carriages to the Manchester and Liverpool train, or even to have changed the passengers and parcels from one train to the other, without detaining the Manchester and Liverpool train, which, according to the evidence, the station master at Todmorden was not at liberty to do. The Liverpool portion of the train had been delayed through an accident elsewhere, and reached Todmorden in time to have enabled the defendants to perform their contract with the plaintiff, if no subsequent delay had occurred, and a proper communication had been made by telegraph to the station master at Wakefield that the Liverpool and Preston portions of the train had been delayed, and that there were passengers for Barnsley. The delay of fifteen minutes at Sowerby Bridge was not explained by the defendants, and no reason was given by them why the station master at Wakefield was not communicated with by telegraph informing him of the detention, and that passengers for Barnsley were coming. Had this been done, the evidence shows that the plaintiff might have been carried to Barnsley within a reasonable time after 11.30, certainly within a time that would have been a substantial performance by the defendants of their contract with him. As the defendants had it in their power, without any loss or inconvenience to themselves, to do the act which would have enabled them to perform their contract with the plaintiff, and prevent the loss which he has sustained, I am of opinion that they have not used that reasonable care and diligence in performing their contract with him which the law requires, and that they are therefore liable to compensate him for the loss he has sustained through their neglect to use such reasonable care and diligence, and as that loss has been proved to be £1 1s., and no question has been raised by the company as to its correctness, this judgment will be entered for the plaintiff for that sum, with costs.

I was referred on the argument to several cases which have been recently decided in other county courts involving the question of the liability of railway companies to passengers for delay, but I don't think that any one of those cases has called for the application of the principle which I have thought it my duty to apply in this case, which may be thus stated—that where a railway company issues a through ticket from A. to B., both being places on their own line of railway, and the times of arrival and departure from and to the stations are advertised in the train tables published by the authority of the company, although they do not guarantee the arrival and departure of the trains at the times stated, and do not hold themselves accountable for any loss, inconvenience, or injury which may arise from delays or detentions, and make such terms part of the contract with the passenger, they are nevertheless bound to use all ordinary means within their power to perform their contract according to its true purport, and thus prevent any delay or detention which may cause loss, inconvenience, or injury to the passenger. And that if they omit to use such means, and show no sufficient reason for the omission, they fail to perform the duty which the law imposes upon them of using reasonable care and diligence in conveying the passenger to his destination, according to their contract with him. Time is to the passenger of the essence of the contract, and the company from the nature of the contract must be deemed to have notice of that fact. They have required him to pay beforehand, as the consideration for their contract with him, a sum fixed by themselves, and which he must pay or forego the contract, and it seems to me that having thus received from the passenger the full consideration to be paid by him, they in return are bound to give him the benefit of the full performance of his contract with them according to its clear tenor and known object, so far as it is within their power to do so, by the exercise of the ordinary means at their disposal. The determination of the question in this case upon the grounds on which I determine it imposes, as it seems to me, no burdensome or inconvenient duty upon the company, or a duty not naturally arising out of the contract, and is only a proper enforcement of mutuality; while at the same time the decision may operate as a protection to individuals against evils which are inherent in every system of monopoly, and arise out of the power of the monopolist to prefer his own interest in disregard of the interest of those who are compelled to have dealings with him.

APPOINTMENTS.

Mr. Arthur Iveson, Jun., solicitor, of Hull, has been appointed Clerk to the Justices of the Peace for the borough of Kingston-upon-Hull, in succession to Mr. J. H. Gresham, recently appointed Chief Clerk to the Lord Mayor of London. Mr. Iveson was admitted in 1859.

Mr. Thomas Lamb, solicitor, Andover, has been elected Clerk of the Peace for that borough, in the room of the late Mr. Henry Albert Loscombe. Mr. Lamb has also been appointed a Perpetual Commissioner for taking the acknowledgments of deeds by married women in the county of Southampton.

PARLIAMENT AND LEGISLATION.

HOUSE OF LORDS.

May 8.—*The Courts (Colonial) Jurisdiction Bill.*—This Bill was read a third time and passed.

Game Birds (Ireland) Bill.—This Bill was read a third time and passed.

May 11.—*Public Worship Regulation Bill.*—The Archbishop of Canterbury moved the second reading of this Bill.—The Archbishop of York stated the amendments the Bishops were willing to introduce in the Bill. With reference to the monition, by the Bill the Bishop may prevent the monition from taking effect pending the appeal, and power might also, he thought, be given to the court of appeal to arrest the judgment. They were prepared to insert "three parishioners," instead of one, as entitled to make application by way of complaint to the Bishop, and were also prepared to give the power to one churchwarden. The clergy in the Convocation of Canterbury had suggested that the Bishop with his Chancellor, the latter being a lawyer, should constitute the Court to hear the complaint in the first instance. They were willing to adopt that suggestion.—Lord Shaftesbury severely criticised the Bill. According to it any man may set the law in motion, for a parishioner is defined as a male of full age and nothing else. He objected to the constitution of the court. It consists of the Bishop himself, who chooses his own court. It was a most vicious principle that the Bishop should sit in one room with his assessor and his advisers, and after deciding that a suit ought to be instituted should pass into another room and try the case himself. The Bishop may enforce the law or not as he pleases. He may fix the time and place of inquiry, and he is not bound to abide by the opinions given by his assessor and advisers. His powers are to be exercised in secret. He has absolute power to exclude every representative of the press and every other person who might exercise a controlling influence. The Bill proposes to enact that if the incumbent shall not transmit an answer to the notice of charge sent by the Bishop or shall not in his answer deny the truth of any statement made in the notice, such statement shall be deemed to be true. The incumbent may be sick or absent, and yet if he does not deny the truth of the statement against him he is to be taken as guilty and the Bishop may proceed accordingly.—The Bishop of Peterborough, after much consideration, had come to the conclusion that some legislation on the subject was necessary; but he hoped the Bill would be much modified in Committee.—Lord Ebury would vote for the second reading of the Bill.—The Duke of Marlborough said that courts which expounded law to a certain extent made law by making precedents. They were to have twenty-four such courts, and he could conceive no greater state of confusion than would arise from the diversity of their decisions. He urged the Bishops to leave the matter in the hands of the Government. After observations by Earl Nelson and the Earl of Harrowby, Lord Hatherley said he would vote for the second reading of the Bill—Lord Selborne, with reference to the proposal that the judgment should be executed *pendente lite*, pointed out that not only is the general rule laid down in the Judicature Act of last session that the judgment of all the superior courts shall be executed pending an appeal, unless the court pronouncing that judgment or the court of appeal shall make an exception in a particular case; but that has been down to this time the settled rule of the Court of Chancery, to say nothing of the practice of other tribunals. The principle, therefore, was not new, and, provided the judgment so to be executed was obtained in a satisfactory way, he was not indisposed to

accede to the proposal. He suggested that the Bishops should have the power, when they had reason to believe that the directions in the Book of Common Prayer were not properly observed or that anything unauthorized was being done, to direct incumbents to conform to the law, an appeal being allowed to the Archbishop's Court.—Lord SALISBURY said the Government would not oppose the second reading of the Bill; they would reserve their opinion on the details of the measure until they saw what those details really were.—Lord GREY supported the Bill. After some remarks by the Archbishop of CANTERBURY and the Duke of RICHMOND, the Bill was read a second time.

May 12.—*Public Worship Regulation Bill.*—This Bill was committed *pro formâ*. Several amendments brought up by the Archbishop of YORK were ordered to be inserted, and the Bill with those amendments was ordered to be reprinted.

HOUSE OF COMMONS

May 8.—*The Stroud Writ.*—On the motion that Mr. Speaker do issue his warrant to the Clerk of the Crown to make out a new writ for the electing of members to serve in this present Parliament for the borough of Stroud in the room of Mr. Sebastian Stewart Dickinson and Mr. Walter John Stanton, whose election has been determined to be void, Mr. C. LEWIS moved an amendment that no writ do issue until after the shorthand writer's notes of the evidence and judgment had been laid before the House. The report of Baron Bramwell contained these words:—"I further report that corrupt practices extensively prevailed at the election to which the petition relates." There was a principle upon which the House had already acted, and it was that where a judge had found, in the words of the statute, that corrupt practices had extensively prevailed, the writ should not issue until the House had been informed of the materials upon which the judge came to the conclusion. He had searched the journals of the House with reference to the course pursued after the General Elections of 1865 and 1868 in similar cases. There was no case in 1869 where corrupt practices had extensively prevailed in which a writ was issued immediately before the publication of the evidence and its circulation among members. In the cases of Bewdley, Bradford, Drogheda, Youghal, and Dublin city the writs were delayed until the evidence was printed, although in no case was the report in the direct words of the statute, which were but partially adopted. In 1866, in the four cases of Devonport, Helston, Windsor, and Nottingham, where the members were unseated for bribery or treating by their agents, writs were issued immediately, but in each case the report negatived the prevalence of corrupt practices. In the case of Bridgwater the report was laid on the table on the 25th of April, and the writ was not issued until the 1st of June. In the case of Bridgwater, as in that of Stroud, it was reported that corrupt practices prevailed extensively; and the writ was not issued until the evidence had been five weeks before the House. The course which was now suggested was therefore abundantly established by precedent.—Sir HENRY JAMES pointed out that there was a practical difficulty in the way of taking any step in relation to the report, whatever the evidence might be. The report of the learned judge stated that corrupt practices had extensively prevailed, and added "The facts and reasons on which I report this are the following." He then proceeded to state in what form the corrupt practice of treating prevailed. Now, suppose they found in the evidence that the report of the judge was entirely sustained by the evidence, what step could the House take? They had no power of inquiry except under the statute, which gave them power, on an address to the Crown, to appoint a commission to inquire not into the corrupt practice of treating, but only into bribery. The practical result of delaying the issuing of the writ would be that they could do nothing by way of inquiry into treating.—Mr. STAVELEY HILL said that Baron Bramwell did not limit his finding to the existence of corrupt practices in respect of treating only, but added that there was reason to believe that certain persons had absconded from the neighbourhood to prevent a charge of bribery against a person named Stevens. The House had, in these words, the ground upon which the commission might issue.—The ATTORNEY-GENERAL having given his best consideration to the report of the learned judge and to the law on the subject was unable to arrive at the same conclusion as, the member for Londonderry. It was not a case in which the House would, he thought, be of opinion that the issuing of the writ should be suspended.—Mr. FORSYTH agreed with Mr. Staveley Hill.—Sir W. HARCOURT and the ATTORNEY-GENERAL for IRELAND spoke in favour of the issuing of the writ. Mr. DISRAELI was sorry the opinions of the gentlemen of the long robe had not been uniform, but on the whole he was disposed to think it was their duty not to oppose the motion for issuing a writ for the borough of Stroud. The amendment was ultimately withdrawn and the motion for issuing a new writ was agreed to.

May 11.—*Licensing Act Amendment Bill.*—Mr. MELLY moved "That, in the opinion of this House, no measure for the regulation of the sale of intoxicating liquors will be satisfactory which affords increased facilities for drinking, and which deals unequally and unfairly with a considerable branch of the liquor trade."—Mr. PEASE seconded the amendment.—Sir H. SELWIN-IBBETSON said that the Government had put into their Bill the hours for closing which the information which they had received led them to believe would be the best. While insisting upon the cardinal point that those hours must be fixed by Parliament, they were quite prepared to take the House into consultation. Another cardinal point the Government felt called upon to lay down was that it was impossible to comply with the demand of the trade that the hours for closing should be uniform throughout the country. After a lengthened debate, Mr. LOWE admitted that there were many provisions in the Bill which deserved consideration, such as those relating to the regulation of night houses, occasional licences, ten o'clock licences, &c. As to the hours he thought the House much better able to come to a right decision than any body of publicans.—Mr. CROSS said that the real object of the new measure was to amend the Act of 1872 in some details and to some extent in the spirit. The liquor trade was one which could not be stopped, and must, therefore, be regulated, and the best way to reform it was by inducing men to engage in it who could be trusted to carry it on properly. He went through the clauses he had inserted with this object. Ultimately Mr. MELLY's amendment was withdrawn.

May 12—*Re-election of the Attorney and Solicitor-General.*—Mr. YORKE moved, "That, in the interest of the public service, it is expedient that members of this House who after their election may have accepted the office of her Majesty's Attorney-General or Solicitor-General should be for the future exempted from the operation of the law under which all members who may accept offices of profit under the Crown are compelled to vacate their seats." He said it was clear that a Premier in selecting his Attorney and Solicitor-General was obliged to look not only to the best man, but to consider who had got the safest seats. He maintained, on the other hand, that it was merit and not accident that should be rewarded, and the House ought to discourage legislation that had an opposite effect. It was important that the Government should have the best advice that money could procure, and that there should be no artificial obstacle raised by law to the Government getting the best legal opinion that could be obtained.—Mr. GREGORY, in seconding the motion, expressed a hope that the Government would see their way to the repeal, either wholly or in part, of the statute of Queen Anne.—Mr. HARDY said the law officers have to recommend State prosecutions, to advise when writs of errors should be issued, and they have the opportunity of indulging in acts of grievous oppression if they choose to avail themselves of those opportunities. It therefore seemed to him that the Law Officers of the Crown were the very last persons who should be exempted from the necessity of re-election on their acceptance of office. It might be that a member had told his constituency that he was going to enter Parliament as an independent member. Supposing that such members were to accept office, notwithstanding their previous declarations, it would only be right that they should return to their constituencies and obtain their sanction to the course they had pursued.—The motion was negatived.

The Imprisonment of Mr. Whalley.—Mr. Whalley rose to move for a select committee to consider and report on the circumstances set forth in a petition from the electors and others of Peterborough in relation to the hon. member's fine and imprisonment for contempt by the Court of Queen's

Bench, and whether any steps were requisite or expedient for defining or restraining the exercise of the powers assumed by courts of justice to inflict fine and imprisonment without trial by jury, but the House was counted out

May 13.—*Household Suffrage in Counties Bill.*—Mr. TREVELYAN moved the second reading of this Bill.—Mr. SALT moved that the Bill be read a second time that day six months. He opposed the Bill on two grounds—first, the time for its discussion was not fitting or convenient; and, secondly, its results were uncertain and unascertained. —Mr. BURT said that working men in the mining districts felt great dissatisfaction at the distinction between borough and county voters. After some debate, Mr. FORSTER said that the question was now practically reduced to one of time. As to the objection raised to the Bill, that if votes were given to the country householders it would re-open the whole question as to the distribution of seats, he was not prepared to say it would not; but could they say to those people, we cannot admit you because this other matter is to be dealt with? That would have been no answer to the present constituencies in boroughs, and it was no answer to the country householders. But he believed that the difficulty had been enormously overrated.—Mr. DISRAELI said that the distribution of political power in the community is an affair of convention, and not an affair of moral and abstract right. The rated householder in the country was doubtless just as competent to exercise the franchise with advantage to the country as the rated householder in the towns. But the classes who would receive the franchise if this Bill were passed were not made up of the simple materials which some speakers in this debate had chosen to assume. The majority of those the Bill would admit would not be of the labouring classes. His great objection to the Bill was that there was no case in which large classes had been invested with the franchise without a general distribution of power in consequence being considered. A redistribution of seats would be unavoidable if the Bill passed, and assuming that the redistribution must be made on the principle of equal electoral districts, he showed that the effect would be to give one representative to every 48,000 of the population, and to extinguish 147 boroughs in England and Wales, 13 in Scotland, and 27 in Ireland. On a division the second reading was negatived by 287 to 173.

The *Working Men's Dwellings Bill.*—This Bill was read a second time.

Innkeepers' Liability Bill.—The second reading of this Bill was moved by Mr. WHEELHOUSE, who explained its object to be to relieve innkeepers from the liability for the loss of property, in the case of customers sleeping in their houses.—Sir F. GOLDSMID moved that the Bill be read a second time that day six months.—Mr. LOPES also opposed the Bill.—Mr. M. LLOYD was speaking in opposition to the Bill, when the hour for adjournment arrived.

May 14.—*Registration of Births and Deaths Bill.*—Mr. SCLATER-BOOTH moved the second reading of this Bill. In England, he said, registration was not compulsory, but advantage was taken in the preparation of the present measure to introduce provisions to make it so. After some conversation the Bill was read a second time.

Juries Bill.—The House went into committee on this Bill.

Clause 1 was agreed to, the words "In the county of Middlesex of not less than £30," in line 23, having been inserted.

On clause 2 an amendment to omit from the clause the words affecting grand juries was agreed to, and the clause, as amended, was ordered to stand part of the Bill, as were also clauses 3 and 4.

On clause 5, as to classes exempted from service on juries, a great number of proposed exceptions were either withdrawn or negatived. Amendments to exempt the Lord Mayor for the time being, the clerks and ushers at the Mansion House, and the Commissioners for the Reduction of the National Debt were adopted, and the clause was agreed to.

Clause 6 was agreed to.

In clause 7, Mr. LOPES moved the omission of the word "five." The effect would be that persons at the age of sixty, instead of sixty-five, might, if they thought fit, claim exemption. He had received from 300 to 500 letters from persons of sixty and upwards in favour of the amendment.—The SOLICITOR-GENERAL trusted that the amendment would be allowed to pass. A great many gentlemen of the age in question were intellectually strong but physically weak, and it would be very hard upon such persons to compel them to travel a long distance to assize towns to serve on juries.—Upon a division the amendment was carried by 97 to 38. The clause was agreed to.

Clause 8 was agreed to. after an amendment exempting justices had been negatived.

Clauses 9 to 28 were agreed to.

Clauses 29 to 41 were also agreed to.

Clauses 42, 43, and 44, regulating the payment of the overseers and vestry clerks for making out the jury lists, were negatived on the motion of the CHANCELLOR of the EXCHEQUER, who desired to confer with the promoters of the Bill with reference to the question.

Clause 45 (fines on clerks of the peace) was amended by substituting a penalty of £20 for £50, to be imposed by the sessions for offences committed without reasonable excuse.

Clauses down to 49 inclusive were agreed to.

On Clause 50 (number of the jury) Mr. M. LLOYD moved the omission of the clause, with a view to leaving the present law unchanged.—Mr. FORSYTH preferred a jury of twelve to seven.—Mr. LOPES submitted that the proposal of the clause was a very moderate one. In criminal cases the jury would always consist of twelve, but in civil cases a jury of seven was permissive. That would be a great relief to the general body of jurymen; while the tribunal would not be less reliable than at present, because the sense of responsibility would be increased.—Sir H. JAMES earnestly hoped that this clause of the Bill would not be agreed to. The question had to be looked upon from two points of view —as it affected the convenience of jurors, and as it affected the administration of the law. The jury of twelve had operated very well, and the number could not be diminished without incurring the danger of enabling a strong-minded man or a judge, or a corrupt juryman, to determine the verdict on one side or the other. When the question had been raised before, the almost unanimous feeling of the Bar was in favour of retaining the present number of jurymen on juries.—Mr. W. WILLIAMS was also convinced that the change from twelve to seven would seriously impair the administration of justice.—The ATTORNEY-GENERAL believed it was undesirable to make such a change in the present system unless in accordance with the unanimous opinion of the committee, an unanimity which in this case was entirely wanting.

Clauses 50, 51, and 52 were struck out.

SOCIETIES AND INSTITUTIONS.

BIRMINGHAM LAW SOCIETY.

REPORT OF THE COMMITTEE ON LORD CAIRNS' LAND BILLS.

The first and most important of these measures is "The Land Titles and Transfer Bill," which is based on Lord Selborne's Bill of last session, simplified and improved by the adoption of many of the improvements which were suggested in our draft report of June, 1873.

Like Lord Selborne's Bill, it proposes tha tregistration may, at the option of the applicant, be eit her of

1st. An absolute title: that is to say, a title good without any other exception or reservation than that appearing on the register;

2nd. A limited title: that is to say, good from a date chosen by the applicant, and approved by the registrar; or

3rd. Registration as proprietor only, in which case the registered title commences at the date of registration.

Registration is to apply not only to all lands of freehold tenure (section 2), but (section 43) to leasehold estates, either for lives (if two lives are subsisting at the time of registration) or for years, if more than twenty-one years are unexpired at the time of registration).

The provision is of the greatest importance to practitioners in Birmingham, where leasehold estates are so common, and it is satisfactory to find that the single meagre provision in the Bill of last session (section 44) has been improved and extended by the insertion of a group of clauses (43 to 52) providing more amply for leasehold interests.

By sections 28 and 51 simple registration is made *compulsory*, both as to freeholds and leaseholds, *on every sale of land after three years from the passing of the Bill.*

We note with satisfaction that every application for registration is to be accompanied (except in the case of incorporeal hereditaments) by a map or plan, and it should be specially provided, either in section 23 of the Bill itself or in the rules, that the basis of the index of ownership should be the plan, and not the names of the owners.

In the Bill of last session the settlement of boundaries was made (section 35) optional, but by section 13 of the present Bill it would seem that whether the applicant wishes it or not, in any proceeding under the present Bill the registrar can only settle the boundaries as far as the documents enable him so to do, just as a purchaser's solicitor does now, and that adjoining owners cannot be bound by the registration of such boundaries. This, of course, removes one of the most serious objections to registration under Lord Westbury's Act, by making it easier and less costly, but, at the same time, less effective; and is, perhaps, the reason why, as it would appear from section 171, that although the Declaration of Title Act, 25 & 26 Vict. c. 67, *is repealed*, Lord Westbury's Act of 25 & 26 Vict. c. 53, is not.

In another respect, also, registration has been made easier, for by section 16 *forty* years is substituted for *sixty* years as the length of a title which can be certified as absolute.

With respect to the effect of registration and dispositions by registered proprietors, the provisions in the present Bill differ much from that of last session. The title to the land is to be a land certificate (section 53), and it appears to be intended, although it is not so clearly provided as in Lord Selborne's Bill (section 82), that there shall never be more than one, and that the last, land certificate in existence; so that on every transfer the old certificate must be given up, and a new one given to the transferee if he buys the whole of the land; or two new ones, one to the transferor for the land which he retains, and another to the transferee for the land he acquires (section 73). Supposing an owner to be placed on the register, the bill makes the following provisions to the various kinds of disposition:—

1. On marriage, the certificate of marriage is to be registered (section 74), and provisions for separate use may also be registered under section 75.

2. On death of a freeholder, such person or persons as the proprietor shall by will have expressly appointed to be his real representatives of the land, are to be registered in his place (section 78). By section 82, in the interval between death and such registration, the estate is to descend to his heir or devisee. If the land registered be leasehold, it is to vest in the personal representatives (section 83). These provisions raise the very important question whether, for the purpose of disposition after death, the personal representative ought not be made real representative also.

3. Sales are to be made by entries on the register and grant of new certificate (section 73).

4. Mortgages. The provisions as to these are greatly altered for the better from the corresponding provisions in the Bill of last year. They contemplate two kinds of mortgages—

(*a*) Legal mortgages, under section 60, which will be simple transfers, as on a sale, without showing on the register that the transaction is a mortgage. The section provides for the preservation of the equitable rights of the mortgagor as between himself and the mortgagee; but of course, the nature of the transaction would, by all prudent persons, be recorded in some formal document.

(*b*) Equitable mortgages (in the bill called charges) are of two kinds:—

(1) Charge by deposit of the land certificate, with a memorandum endorsed thereon (section 61).

(2) A charge in the form in the schedule of the Bill under section 62, which may or may not confer a power of sale.

All charges are to imply a covenant on the part of the registered proprietor *for the time being*, to pay the sum charged.

Unlike Lord Selborne's Bill, the present Act contains no specific clauses as to *un*registered dispositions or equitable interests in land, but it provides for the protection of all equitable interests in two ways:—

(*a*) By restrictions entered in the register under section 102, which can only be done by the registered proprietor.

(*b*) By *caveat* under section 187, which *caveat* may be entered by any person (in the bill called a "cautioner") interested or claiming to be interested in the land, who is willing to make an affidavit in support of the application to enter such *caveat*. The effect of the *caveat* is (under section 88) to ensure notice to the cautioner of any dealing with the registered land; and, upon notice, section 89 imposes upon him the necessity of applying to the court and giving security for costs and damages, in order that he may make his claim effectual against the proposed dealing by obtaining an inhibition.

In connection with the entries on the register should be noticed the very important provision of the 121st section as to the inspection which, corresponding with Lord Selborne's Bill, restricts such inspection to the following classes of persons:—

1. Registered proprietors.
2. Persons who have entered notices or *caveats*.
3. Persons authorised by registered proprietors and cautioners, their solicitors, agents, or clerks.

We think that an open register is indispensable, and that no advantage will be ultimately gained by restrictions on search. If the scheme is made compulsory, every transaction relating to land, whether it concern the legal or equitable interest, will, in order to ensure safety, necessitate a search of the register for restrictions, *caveats*, and inhibitions. In many cases these searches will require to be made without the consent of the registered proprietor or cautioner, and then the delay and cost of entering a *caveat* must be incurred. Even where such consent can be asked for, it will be often an inconvenience and delay to obtain it. It may be safely predicted that the registration will be of the nominal title only, and that all beneficial interests will be shrouded under "restrictions" and "*caveats*," and that whilst an open register would give little information to impertinent curiosity, it would be most important to the safe and rapid transaction of business.

The provisions of part 9 of the Act, relating to the machinery of the Office of Land Registry, are some of them great improvements on Lord Selborne's Bill, and some of them much the reverse. Among the improvements is the abolition of the board of registry, which Lord Selborne proposed should consist of the Lord Chancellor, the Chancellor of the Exchequer, and the registrar, and the substitution of the Chief Registrar as the head of the department subject to the control of the Lord Chancellor only. On the other hand, it is not intended, for the present, to provide district registries; but power only is given (section 159) to establish them in the future. Solicitors are expressly excluded from fulfilling the office of registrar or assistant registrar (section 161). The provisions as to costs (by sections 145 and 150) are not so effective as section 164 of Lord Selborne's Bill, which expressly recognised contracts as to costs and percentage or *ad valorem* scales.

If registration ever comes into active operation, a local registry will be at least as necessary as a stamp office. Motives of economy have no doubt dictated the present provisions as to district registries, because such a registry, presided over by a barrister of ten years' standing, with examiners and a staff of officials, would be a costly establishment. It would be much better to adopt the suggestion of the Land Transfer Commissioners, and multiply local registries of a humbler character, for which an experienced solicitor would be a most competent and proper registrar. Forms of transfer are provided in a schedule to the Bill, and (by clauses 156-158) powers of addition and alteration are given. The forms seem to us to be susceptible of improvement.

It should be noted that the present Bill, unlike Lord Selborne's, does not close the local registries of Middlesex, Yorkshire, and Hull.

Coming down to particular clauses, the following occur to us as needing improvement:—

Clause 16.—Why give instances at all of titles not strictly marketable, and why such instances?

Clause 64.—This clause appears to us very objectionable. It converts what has hitherto been a personal covenant into a covenant running with the land; at least the words "for the time being" should be omitted, and it should create a personal obligation only on the original mortgagor.

Clause 87.—The language of this clause does not appear to be very happy. In the present state of the law execution creditors are the smallest class of persons likely to be interested in lands, and to give them as a sample of the whole is not advisable.

Clause 125.—This clause is a most important one, as taking away the advantage hitherto enjoyed by the owner of the legal estate.

On an attentive consideration of the measure, and with every desire to see some system established which will remove the evil of constant reinvestigation of title, we fear that the present measure will not prove much more effective or useful than the preceding measures of Lord Westbury. Our conviction is that the true remedies for the simplification of our present system of conveyancing will be found, not in the establishment of a system of registration, but in some modification of the Declaration of Title Act, 1862, whereby in every case in which it is worth while to incur the cost and trouble, the owner of an estate can obtain a declaration that his title is good, so as to get a new starting point, with which all subsequent purchasers would be satisfied; the process being repeated from time to time as may be necessary, *but without keeping the title on a register*, which must constantly necessitate severing the legal from the beneficial interest, and protecting the latter by the elaborate apparatus of restrictions, *caveats*, and inhibitions. In addition to this, it would be easy to introduce a large number of minor improvements which would greatly simplify smaller transactions. If, however, a system of registration is to established, we think the present scheme to be simpler and more worthy of support than any which has preceded it. It appears to us, however, that very little use is likely to be made of those sections of the Bill which provide for the registration of an absolute or limited title, because, if it is worth while to incur the cost and trouble of registering such a title, it would be better to obtain an indefeasible title under Lord Westbury's Act. The majority of transactions under it will, and in all smaller cases must, be registrations of proprietorship only. Such a registration will of course require the antecedent title to be shown until, by the lapse of time, the Statute of Limitations has made the date of registration sufficiently ancient to be relied upon as the root of title. We, however, decidedly object to the provisions of sections 28 and 51, making registration compulsory after three years. It is notorious that many of the supposed beneficial alterations in real property law, from the time of the Statute of Uses downwards, have falsified all the anticipations of their projectors. It is useless providing remedies which, like Lord Westbury's Act, it is clear that landowners do not want or will not take advantage of, and before a measure like this is made compulsory it should be seen whether experience proves it to be beneficial. If it has the effect of simplifying transfers, we and our clients should not be slow to take advantage of it; but as it would have been confessedly a mistake to have made Lord Westbury's Act compulsory, so we fear it will be found to be a mistake to make this measure (great as is its apparent superiority to Lord Westbury's Act) compulsory before it has been fairly tried. The many important, and, on the whole, beneficial, alterations which have been made in it since last session show the improvements of which it is capable by submission to thorough criticism, and there is no criticism so thorough as that which is suppiied by a few years' experience of the actual working of any measure.

The second measure is the Real Property Limitation Bill, which proposes to repeal sections 2, 5, 16, 17, 23, 28, and 40 of 3 & 4 Will. 4, c. 27 (which prescribe the periods of limitation applicable to real property in general), and to substitute shorter terms; that is to say, in lieu of the twenty years prescribed by section 2 of the former Act *twelve* years is substituted, and in lieu of ten years for allowance for disability six years is only to be allowed, and thirty, instead of forty, years is to be an absolute bar, whether disabilities exist or not. No time is in future to be allowed for the disability of being beyond seas.

Twelve years instead of twenty is also to be a bar to remainders on estates tail, and to a mortgagor when his mortgagee shall have been in possession; and to claims to legacies or moneys charged on land. The Bill is, in fact, Lord Selborne's Bill of last session, with two or three sections added, and the periods altered from ten years to twelve. It is obvious that if titles are to be shortened with safety, shortened periods of limitation are a necessity, and in this point of view we think ten years would be better than twelve, for which there appears to be no reason whatever, except that it is twice the length of the period allowed for personal actions.

The third measure is entitled "A Bill to Amend the Law of Vendor and Purchaser of Land," and by the 1st section it proposes to substitute forty instead of sixty years as the period to which, in the absence of stipulation to the contrary, the purchaser may require the title to be deduced in those cases in which he is now entitled to a sixty years' title.

The 2nd section provides that, subject to any stipulation to the contrary, the present rights and obligations of vendor and purchaser shall be qualified as follows:—

1. The title of a lessor is not to be required.
2. Recitals twenty years old are to be sufficient evidence.
3. Inability of vendor to furnish a legal covenant for production of deeds to be no objection.
4. Attested copies to be at purchaser's expense.
5. The purchaser to pay his own costs of covenants for production.
6. The vendor retaining any part of his estate to retain title deeds.
7. Non-registration of a will in Middlesex, &c., within specified time not to be an objection.

The 3rd section enables trustees to buy or sell under the provisions of the 2nd section.

The 4th section proposes to enable the legal personal representative of a mortgagee to convey the estate.

The 5th section contains a very useful provision, enabling a vendor or purchaser to apply in a summary way in chambers to the Chancery division of the Supreme Court, to decide any question arising out of the contract for sale of real property, not being a question affecting the existence or validity of the contract. Upon this Bill we have the following observations to make:—

As to the 1st Clause.—In the majority of cases this will be a most useful provision, but is sure to work injustice in some. The rule as to sixty years' title was laid down with reference to the average duration of human life (*Cooper* v. *Emery*, 1 Ph. 388). It is notorious that most of the titles which have been asserted after the lapse of many years are cases in which a tenant for life has assumed to convey the fee, and the fraud could not be discovered until after his death. To shorten the period during which the remainderman has time to make his claim by eight years, as is proposed to be done by the second Bill, does not justify shortening the period when a purchaser can claim the title to be deduced by twenty years.

To the list of minor improvements provided for by the 2nd section, we suggest it would be well to give legislative sanction to the principle that the purchaser ought not to be called upon to pay interest when the vendor is in default. The common condition, making the purchaser liable to pay if delay occurs "from any cause whatever," often operates unfairly on a purchaser.

The 4th section raises the same question we have already referred to as arising on the 78th section of the "Land Titles Bill," and there can be no reason whatever why the legal personal representative should not be able to convey the freehold as well in the case where the owner is beneficially entitled to land, as where he is entitled as mortgagee to money secured on land.

The 5th section we regard as supplying a want which has been long and deeply felt. Difficulties between vendors and purchasers sometimes drag on for years, and are at last settled by an unsatisfactory compromise, because the cost of obtaining a legal decision is too great to be incurred in small transactions.

As recommendations for practical action, we suggest the following:—

1. That "The Real Property Limitation Bill" be approved.
2. That "The Vendor and Purchaser Bill" be supported, with the additions we have mentioned.
3. That vigorous efforts should be made to alter "The Land and Titles Transfer Bill" in at least the following particulars:—

1. The omission of sections 28 and 51 making registration compulsory.

2. The insertion of provisions for universal establishment of district registries, and rendering solicitors eligible for the post of registrars. These districts should be formed with careful reference to the great centres of population.

3. The alteration of the 121st section, so as to give an open registry.

4. More specific provisions as to costs.

5. The alteration of the 64th clause as to mortgages.

6. The "agents" mentioned in section 9 and other sections should be defined to mean persons authorised by solicitors.

7. The basis of the index of ownership should be a map and not the names of the parties.

Signed on behalf of the Committee,

ARTHUR RYLAND, President.
THOMAS HORTON, Hon. Sec.

Birmingham, April 23rd, 1874.

WORCESTER AND WORCESTERSHIRE LAW SOCIETY.

The following petition with reference to the Land Transfer Bill has been agreed upon by this society:—

"To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The Humble Petition of the Worcester and Worcestershire Law Society

Sheweth—That a Bill has been introduced into your Lordships' House entitled 'Land Titles and Transfer Bill.'

That by section 133 of the said Bill it is proposed that there shall be an office in London to be called the Office of Land Registry, the business of which shall be conducted by a registrar with a staff of officials.

By section 159 it is provided that it may be found expedient to create district registries, and power is given to the Lord Chancellor, with the concurrence of the Commissioners of her Majesty's Treasury, to create such district registries; and by sections 134 and 135 it is proposed that the registrar and assistant registrars shall be barristers of ten years' standing.

Your petitioners believe that the establishment of district registries for counties similar in extent and locality to the present district registries of the Court of Probate would be for the interest of the owners of property in regard to convenience, economy, and despatch.

That, from the constant and extensive dealings with landed property in conveyancing by the solicitors of this country, your petitioners submit that it would be unfair and impolitic to make them ineligible for the several offices and appointments contemplated by the Bill.

And your petitioners would respectfully urge your Lordships to insert a clause limiting the practice in registries to attorneys and certificated conveyancers, and imposing proper penalties on unqualified persons.

And your petitioners will ever pray, &c."

LAW STUDENTS' DEBATING SOCIETY.

At the usual weekly meeting of the society, held at the Law Institution on Tuesday evening last, the following was the question discussed (No. ccxxix. Jurisprudential):—"Was the recent lock-out by the farmers in the eastern counties advisable under the circumstances?" After a long debate the question was carried in the negative by a majority of one.

ARTICLED CLERKS' SOCIETY.

A meeting of this society was held on Wednesday last, the subject for the evening's debate being, "That judges should have the power of calling and examining witnesses who are not called and examined by either of the parties to a case." The motion was carried by a majority of two.

BRISTOL ARTICLED CLERKS' DEBATING SOCIETY.

A meeting of this society was held on Tuesday evening, 14th April, 1874, T. Parr, Esq., solicitor, in the chair. It was the third open night of the session, and the following was the subject discussed:—"Would it be politic to admit any of the so-called 'Women's Rights'; and if so, which, and in what manner?" Mr. Jacques opened in the affirmative, but a large majority were in favour of Mr. Burroughs, who opposed.

THE IRISH BAR ON THE JUDICATURE BILL.

A meeting of the members of the Home Bar, convened for the purpose of taking into consideration the provisions of the Court of Judicature (Ireland) Bill, so far as they may affect the existing circuits, was held at the Four Courts on Thursday.

Mr. George Battersby, LL.D., Q.C., in the chair.

The following resolutions were unanimously adopted:—

"That the reduction of the number of circuits would not be attended with any advantages, economically or otherwise, but would occasion the disturbance of vested interests, much inconvenience to the public by protracting the term of holding the assizes, and pecuniary loss to the members of the discontinued circuit or circuits."

"That if there be not a necessity for such a reduction (and the members of the Home Bar cannot see any), the change had better not be made.

"That, inasmuch as on the passing of the Judicature Bill, there will be fifteen judges of the High Court, and the judges of the Courts of Equity and of the Probate Court already preside at inquiries before juries, they could be made available for the assizes, and there is no necessity for the proposed alteration.

"That in case it should be suggested that the six circuits could be continued by having the business of the smallest circuits done by a single judge, as is the case in Wales, the Home Bar consider that such an arrangement would involve the necessity of postponing the civil to the criminal business, and occasion so much delay and uncertainty in the time of the proceedings on circuit that parties would be deterred from trying any civil cases on Irish circuits.

"That the language of the people of Wales and the distance of that Principality from the capital render advisable there a practice which would be highly disadvantageous in the neighbourhood of the metropolis.

"That copies of these resolutions be transmitted to the Right Hon. the Attorney-General for Ireland, with a request that he will bring them under the notice of her Majesty's Government.

(Signed)
"GEORGE BATTERSBY.
"CONSTANTINE MOLLOY, Secretary."

JUDICATURE COMMISSION.

FOURTH REPORT.

The Judicature Commissioners have presented the following report:—

To The Queen's Most Excellent Majesty.

We, your Majesty's Commissioners whose hands and seals are hereunto set, appointed by your Majesty, under the Royal Warrants annexed, to make diligent and full inquiry (*inter alia*) into the operation and effect of the existing laws and arrangements for distributing and transacting the judicial business of our High Court of Chancery of England, our Superior Courts of Common Law at Westminster, our High Court of Admiralty of England, our Courts of Probate and of Divorce for England, the Courts of our Counties Palatine of Lancaster and of Durham, and the Courts of Error and of Appeal therefrom, as well in court as in chambers, with a view to ascertain whether any and what changes and improvements, either by assigning any matters or causes now within their respective cognizance to any other jurisdiction, or empowering one or more judges in any of the said courts to transact any kind of business now transacted by a greater number, or by altering the mode in which the business of the said courts, or any of them, is now distributed or conducted, or otherwise—may be advantageously made so as to provide for the more speedy, economical, and satisfactory despatch of the judicial business now transacted by the same courts, do most humbly present to your Majesty's most gracious consideration this our report upon the transaction of the judicial business in the chambers of your Majesty's courts.

Previously to the passing of the Supreme Court of Judicature Act, 1873, we caused to be circulated among

the members of the profession questions for the purpose of obtaining correct information as to the best mode of conducting the chamber practice in the several courts above mentioned, and the offices connected therewith, and we have received in answer to those questions much valuable evidence, which is contained in the appendix to this report.

To that evidence we have thought it right to add two papers of suggestions submitted to our consideration by three of our members, Mr. Hollams, Mr. Bateson, and Mr. Lowndes.

Having regard to the power of making rules of procedure before the 2nd day of November next, conferred by the Supreme Court of Judicature Act, 1873, upon your Majesty in Council (which power is exerciseable by and with the advice of the judges of the several courts constituted by that Act), and also to the further power of making, annulling, and altering the same and other similar rules after the said 2nd day of November, conferred by the same Act upon the judges of the Supreme Court thereby established, it has appeared to us to be the course most consistent with our duty to report to your Majesty the evidence so obtained and the suggestions so submitted to us, rather than to attempt ourselves to arrive at any definite conclusions upon this important subject.

We think it, however, right at the same time to state our opinion that it is desirable that the chamber practice in each division of the Supreme Court should, so far as may be practicable, and the nature of the business will permit, be uniform, and that the evidence and suggestions in the appendix will be found deserving of careful consideration by those to whom the duty of advising your Majesty as to the rules to be made before the 2nd of November next, and of making and altering rules of procedure after that period, is now committed by law.

We are proceeding with the consideration of the remaining subjects referred to us for inquiry, upon which we hope, in a short time, to make our final report to your Majesty.

CAIRNS, C.	(L.S.)
SELBORNE.	(L.S.)
HATHERLEY.	(L.S.)
PENZANCE.	(L.S.)
A. E. COCKBURN.	(L.S.)
FITZROY KELLY.	(L.S.)
W. ERLE.	(L.S.)
ROBERT PHILLIMORE.	(L.S.)
GEORGE WARD HUNT.	(L.S.)
HUGH C. E. CHILDERS.	(L.S.)
W. M. JAMES.	(L.S.)
MONTAGUE SMITH.	(L.S.)
R. P. COLLIER.	(L.S.)
ACTON S. AYRTON.	(L.S.)
G. BRAMWELL.	(L.S.)
COLIN BLACKBURN.	(L.S.)
J. R. QUAIN.	(L.S.)
COLERIDGE.	(L.S.)
G. JESSEL.	(L.S.)
JOHN B. KARSLAKE.	(L.S.)
SYDNEY H. WATERLOW.	(L.S.)
CHARLES S. WHITMORE.	(L.S.)
H. C. ROTHERY.	(L.S.)
GEO. MOFFATT.	(L.S.)
WILLIAM G. BATESON.	(L.S.)
JOHN HOLLAMS.	(L.S.)
FRANCIS D. LOWNDES.	(L.S.)

R. A. Fisher, Secretary.
25th March, 1874.

[The appendix to the report has not yet been issued.—ED. S. J.]

LEGAL ITEMS.

Mr. Alexander Stavely Hill, D.C.L., Q.C., M.P. for Coventry, Recorder of Banbury, of St. John's College, Oxford, succeeds Lord Selborne as Deputy High Steward of the University of Oxford.

It appears from the report in the daily papers of a statement made in the House of Commons on Friday by Mr. W. H. Smith, in reply to Mr. Whalley, that the total cost of the prosecution of Arthur Orton was £55,315 17s. 1d. The amount of counsels' fees was £11,450, of which £2,644 was paid in 1871, in 1872-1873 £4,700, and in 1874 £5,500. The witnesses were paid in 1872-1873 £822, and in 1873-1874 £3,848 18s., and this year £4,300. The shorthand writers got £3,493, the jury £3,780.

It is shown by a return just issued that in the last five years the number of petitions presented was 105,197, the number printed in the period 4,638, the number of signatures since 1866 was 14,964,984, and the number of reports since that time 157.

Under the new German Press Law the editor is made the responsible person, unless he chooses to mention the author of the article inculpated; but should he withhold the name, the publisher, printer, and even the stationer who circulates the obnoxious matter, may be likewise fined for criminal negligence, in a sum not exceeding £50.

Mr. Baron Deasy in charging a jury on Tuesday last remarked that "testimonials were becoming a public nuisance. No curate, no sub-inspector of police, no bank clerk could now be removed from one town to another without some person or persons setting about the collection of subscriptions and giving the man a piece of plate or something of the kind, which, perhaps, he did not want."

With reference to the question which so much divided the legal members of the House of Commons on the debate as to the issue of the writ for Stroud, "H." writes to the *Times*:—"As some doubts have been expressed whether a Commission issued under the Corrupt Practices Act, 1852, has power to inquire into and to report in the case of treating as well as in the case of bribery, it may be well to point out a circumstance which seems to set the matter at rest. When the bill was sent up from the House of Commons, the sixth section, which defines the powers of the Commission, contained the following words:—'Whether any corrupt practice by way of treating has been carried on at any such election.' These words were intended to give, and did give, such a Commission power to deal with treating. The late Lord Derby, who then was Prime Minister, objected to admitting the offence of treating as within the purview of the Commission, and the words I have cited were struck out upon his motion in the House of Lords by a majority of sixty-eight to thirty-five (*Hansard*, June 14, 1852). This, in a Parliamentary sense, may, I think, be taken to settle the matter."

PUBLIC COMPANIES.

GOVERNMENT FUNDS.

LAST QUOTATION, May 15, 1874.

3 per Cent. Consols, 93¼	Annuities, April, '85 9⅞
Ditto for Account, June 5 93⅛	Do. (Red Sea T.) Aug. 1908
3 per Cent. Reduced 91⅝	Ex Bills, £1000, 2½ per Ct. par
New 3 per Cents., 91⅝	Ditto, £500, Do par
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, par
Do. 2½ per Cent., Jan. '94	Bank of England Stock 5
Do. 5 per Cent., Jan. '78	Ct. (last half-year) 256
Annuities, Jan. '80 —	Ditto for Account.

RAILWAY STOCK.

	Railways.	Paid.	Closing Price
Stock	Bristol and Exeter	100	121
Stock	Caledonian	100	95½
Stock	Glasgow and South-Western	100	103
Stock	Great Eastern Ordinary Stock	100	46⅝
Stock	Great Northern	100	138
Stock	Do., A Stock*	100	156
Stock	Great Southern and Western of Ireland	100	109
Stock	Great Western—Original	100	122½
Stock	Lancashire and Yorkshire	100	145
Stock	London, Brighton, and South Coast	100	80⅝
Stock	London, Chatham, and Dover	100	21½
Stock	London and North-Western	100	148
Stock	London and South Western	100	112
Stock	Manchester, Sheffield, and Lincoln	100	70½
Stock	Metropolitan	100	61½
Stock	Do., District	100	25
Stock	Midland	100	129½
Stock	North British	100	63½
Stock	North Eastern	100	166½
Stock	North London	100	113
Stock	North Staffordshire	100	63
Stock	South Devon	100	64
Stock	South-Eastern	100	111½

* A receives no dividend until 6 per cent. has been paid to B.

MONEY MARKET AND CITY INTELLIGENCE.

The Bank rate is unchanged. The proportion of reserve to liabilities has risen from 35 to over 37 per cent. There

was an advance in the railway market on Tuesday afternoon, but this was succeeded on Wednesday by a decline. A slight recovery was reported on Thursday afternoon. The foreign market has been firm. Turkish and Egyptian continue at the advanced prices. Consols on Thursday were 93¼ to ⅜ for delivery, and 93⅜ to ½ for June.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

FRANCIS-WILLIAMS—On May 8, at 58, Cornwall-road, Westbourne-park, the wife of B. Francis-Williams, barrister-at-law, of a son.

PRESTON—On May 9, at Twickenham, the wife of Charles E. R. Preston, Esq., solicitor, of twins (boys).

MARRIAGES.

EDWARDS—CHOWN—On May 7, at Edmonton Parish Church, John William Edwards, of the Middle Temple, barrister-at-law, to Ellen Rose, eldest daughter of Thomas Chown, of Edmonton.

HILL—TUSON—On April 16, at Allahabad, India, Charles H. Hill, Esq., of the Middle Temple, barrister-at-law, professor of law, to Fanny Chichester, youngest daughter of E. B. Tuson, Esq., Deputy-Surgeon-General British Army.

DEATHS.

ANSELL—On May 6, at Keswick, Cumberland, Mr. George Ansell, solicitor, aged 74.

PARR—On May 7, John Edward Parr, Esq., of the Inner Temple, aged 74.

LONDON GAZETTES.

Professional Partnerships Dissolved.

TUESDAY, May 12, 1874.

Salmon, Edgar Everard, Charles Frederick Henderson, and William Henderson, attorneys at law and solicitors, Broad st, Bristol. April 5

Winding up of Joint Stock Companies.

TUESDAY, May 5, 1874.

UNLIMITED IN CHANCERY.

Teme Valley Railway Company.—Petition for winding up, presented April 27, directed to be heard before the M.R. on May 23. Jenkinson and Co, Corbet ct, Gracechurch st, solicitors for the petitioners.

LIMITED IN CHANCERY.

Colonial and Foreign Meat Supply Company, Limited.—By an order made by V.C. Hall, dated April 24, it was ordered that the above company be wound up. Gant, Walbrook, solicitor for the petitioners.

FRIDAY, May 8, 1874.

UNLIMITED IN CHANCERY.

Association of Promoters of the Leamington and Warwick Tramways.—By an order made by V.C. Malins, dated May 1, it was ordered that the above association be wound up. Fallows and Whitehead, Lancaster place, Strand, solicitors for the petitioner.

LIMITED IN CHANCERY.

Mostyn Copper Company, Limited.—By an order made by the M.R., dated April 18, it was ordered that the above company be wound up. Chester and Co, Staple inn, agents for Gill, Liverpool, solicitor for the petitioners.

TUESDAY, May 12, 1874.

LIMITED IN CHANCERY.

Central Queensland Meat Preserving Company, Limited.—By an order made by the M.R., dated May 2, it was ordered that the above company be wound up. Flower and Nussey, Great Winchester st buildings, solicitors for the petitioner.

Poole Fire Brick and Blue Clay Company, Limited.—Creditors are required on or before June 16, to send their names and addresses, and the particulars of their debts or claims, to Mr. George Ball, Palmerston buildings. Miller and Millar, Sherborne lane, solicitors for the liquidators.

Traders' (North Staffordshire) Carrying Company, Limited.—By an order made by the M.R., dated May 2, it was ordered that the voluntary winding up of the above company be continued. Worthington and Co, Coleman st, agents for Bishop, Shelton, solicitor for the petitioners.

Universal Drug Supply Association, Limited.—Petition for winding up, presented May 6, directed to be heard before the M.R. on Saturday, May 23. Lewis and Co, Old Jewry, solicitors for the petitioner.

Friendly Societies Dissolved.

FRIDAY May 8, 1874.

Aynho Friendly Society, Cartwright Arms Inn, Aynho, Northampton. May 4

Meare Friendly Society, Meare, Somerset. April 30

Tradesmen's Society, Tipton Tavern, Tipton. April 27

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, May 1, 1874.

Cobb, Mary Anne, St Mary axe. May 13. Fisher v Court, V.C. Hall. Thomson, Lincoln's inn fields

Douglas-Hamilton, Charles Henry, Shanklin, Isle of Wight, Commander in the R.N. May 30. Douglas-Hamilton v Douglas-Hamilton, V.C. Malins. Stewart, Lincoln's inn fields

Edgley, William, Fleet st, Looking Glass Manufacturer. June 1. Edgley v Adams, M.R. Crosse, Bell yard, Doctors commons

Gomme, Stephen, Hammersmith, Auctioneer. June 1. Chapman v Chestle, M.R. Aldridge, Bedford row

Hill, John, Shakespeare rd, Stoke Newington. May 9. Crook v Hill, V.C. Hall. Stanley, Austin friars

Hooper, Henry Morgan, Gloucester, Timber Merchant. May 22. Hooper v Absll, V.C. Bacon. Abell, Gloucester

Leach, John, Bradford, York, Stone Mason. May 28. Leach v Smith, M.R. Rawson and Co, Bradford

Mayo, Frederick Richard, Milton-next-Gravesend, Kent, Esq. May 30. Price v Mayo, V.C. Hall. Lumley, Old Jewry chambers

Oliver, Matthew, Sunderland, Durham, Common Brewer. May 16. Oliver v Oliver, V.C. Bacon. McKenzie, Sunderland

Polton, Sarah, Gilbert rd, Kennington. June 1. Steer v Borer, V.C. Malins. Crosse, Bell yard, Doctors' commons

Prentice, Ambrose, Charles st, Trevor square, Knightsbridge, Gent. May 30. Prentice v Silverstone, M.R. Tyler, New Broad st

Stewart, Lydia, Ramsgate, Kent. May 23. Fry v Stewart, V.C. Hall, Rooke, Great James st, Bedford row

Towndrow, William, Stonegravels, Derby, Yeoman. June 1. Skinner v Skinner, V.C. Malins. Smith, Sheffield

Trott, William Frederick, Charlton, near Dover, Kent, Government Contractor. June 1. Trott v Jones, V.C. Malins. Jones, Milman place, Bedford row

TUESDAY, May 5, 1874.

Aldridge, William, Wallingford, Berks, Plumber. May 30. Aldridge v Aldridge, V.C. Hall. Dodd, Reading

Arnold, Frederick, Fleet st, Stationer. May 30. Morgan v Arnold, V.C. Malins. Russell, Bedford row

Dennis, John, Kingston-upon-Hull, York, Spirit Merchant. May 30. Leggott v Rutherford, V.C. Hall. Pettingell, Hull

Goldring, John, Chichester, Brewer. June 2. Goldring v Goldring, M.R. Sowton, Chichester

Stephens, William, St Mary's rd, Cannonbury, Wine Merchant. June 1. Fairfax v Stephens, V.C. Hall. Child, Backhouse court, Godliman st

Still, Henry, Abbey st, Bermondsey, Carrier. June 10. Still v Shaw, V.C. Hall. Batt, Dyers' Hall, Dowgate hill

Steward, John, Axbridge, Somerset. June 1. Day v Steward, V.C. Malins. Mead, King's Bench walk, Temple

Tayler, Frederick, Kingswood hill, Gloucester, Gent. June 1. Jefferis v Tayler, V.C. Hall. Stanley and Wasbrough, Bristol

FRIDAY, May 8, 1874.

Bird, Sarah, Canterbury. June 3. Bird v White, V.C. Hall. Callaway, Canterbury

Doyle, Charles Edward, Kingsland rd, Packer. May 29. Doyle v Francis, V.C. Hall. Holmes, Threadneedle st

Niven, Agnes Vardill, Skipton, York. June 5. Fowler v Robinson, M.R. Smith, New square, Lincoln's inn

Prince, John, Hastings, Sussex, Esq. June 8. Hopewell v Barnes, V.C. Malins. Kynaston, Queen st, Cheapside

Ratray, Mary, Tavistock square. Nov 2. Bedford v Guyon, V.C. Bacon

Ratray, Mary Gray, Tavistock square. May 25. Bedford v Guyon, V.C. Bacon. Bedford, Haberdashers' Hall

Robberds, Georgina, Cley-next-the-Sea, Norfolk. June 10. Rule v Gibson, V.C. Hall. Press, Bristol

Woodman, William, Worth, Sussex, Farmer. June 9. Woodman v Stanbridge, M.R. Stenning, Aldermanbury

NEXT OF KIN.

Ratray, Mary Gray, Tavistock square. Nov 2. Bedford v Guyon, V.C. Bacon

Phillips, William, Witston Court, Monmouth, Esq. June 2. Vassall v Morgan, V.C. Bacon. Abbott and Co, New inn, Strand

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

TUESDAY, May 5, 1874.

Bannatyne, Anne Stevenson, Beulah Hill, Upper Norwood. June 1. Murray and Hutchins, Birchin lane

Boggis, Sophia, Great Baddow, Essex. June 1. Blood and Son Witham

Bisdee, Edward, Hutton Court, Somerset, Esq. June 30. Burroughs, and Bisdee, Forest Hill

Brown, William, Barrington, Manchester, Restaurant Keeper. May 30. Marriott and Woodall, Manchester.

Clayton, Rev George, Upminster, Essex. June 30. Cowdell and Co, Budge row, Cannon st

Fyson, Joseph, Scunthorpe, Norfolk, Farmer. June 15. Kent and Co, Faksenham

Haines, William, Bath, Gent. June 10. Channing, Taunton

Harding, Frances, Kennington Park rd. June 1. Newbon and Co, Wardrobe place, Doctor's commons

Hayward, Sidney, Overton, Southampton, M.D. July 11. Dowes, New inn, Strand

Hodgson, John Grant, Cabalva, Hereford. June 1. Tweedie, Lincoln-inn fields

Horn, Isaac, Sutton St James, Lincoln, Farmer. July 1. Allison, Louth

Horner, Eliza, Lenton, Nottingham. June 1. Richards, Nottingham

Jones, Hugh, Monfoniog, Denbigh, Gent. June 20. Davies, Denbigh

Minto, Benjamin Andrew, South Shields, Durham, Master Mariner. July 31, Allison, Louth

Rooke, Sophia, Weston-super-Mare, Somerset. June 24. Burne and Rooke, Bath

Sampson, Luke, Sheffield, Corn Factor. May 31. Webster, Sheffield

Scruby, Alfred, Sloane st, Chelsea. July 1. Carlisle and Ordell, New-square, Lincoln's inn

Sex, Edward, Lancaster rd, Notting hill, Gent. June 6. Holmes, Clement's lane, Lombard st

Smith, Sarah, Repton, Derby. June 10. Richardson and Small, Burton-on-Trent

Sparrow, Mary, Wolverhampton, Stafford. June 20. [Flewker, Wolverhampton

Todd, William, Wellington rd, St John's wood, Gent. July 15, Simpson and Cullingford, Gracechurch st

Tomlyn, John Purser, Maidstone, Kent, Timber Merchant. June 24. Henderson and Buckle. Fenchurch st
Trappes, Rev Michael, Kingston-upon-Hull, Catholic Priest. June 1. Frost and Dawson
Tunaley, Henry, Derby, Dyer. June 15. Sale, Derby
Warry, William Robert, Martock, Somerset, Esq. June 10. Sparks, Crewkerne
Waud, Christopher, Bradford, York, Worsted Spinner. June 1. Taylor and Co, Bradford

FRIDAY, May 8, 1874.

Adams, Major Charles, Fir Bank, near Farnborough, Professor of Military History. June 1. Tomlin, Old Burlington st
Beats, Elizabeth, Bath. July 1. Stone and Co, Bath
Bridges, William, Gravel lane, Southwark, Hat Block Maker. June 15. Downing, Basinghall st
Dyball, Maria, Moulton, Lincoln. June 9. Maples and Son, Spalding
Dyball, Robert, Moulton, Lincoln, Veterinary Surgeon. June 9 Maples and Son, Spalding
Elliott, William, Wakefield, York, Gent. June 1. Harrison and Smith, Wakefield
Feltham, Joseph Frederick, Upper Richmond rd, Putney, Gent. June 30. Barnes and Bernard, Great Winchester st
Hadden, Alexander, Ashby-de-la-Zouch, Leicester, Esq. July 1. Enfield, Nottingham
Hair, Jane, Newcastle-upon-Tyne. July 1. Bond, Newcastle-upon-Tyne
Harris, George Peter, Shooter's hill, Kent, Ironmonger. Nov 30. Stow and Ayers, Adelaide, South Australia
Holland, William, Shaftesbury terrace, Warwick rd, Kensington, Gent. June 15. Blachford and Riches, Great Swan alley, Moorgate st
Horton, William, Smethwick, Stafford, Boiler Manufacturer. June 10. Coldicott and Canning, Dudley
Hughes, William Bonville, High st, Camden Town, Draper, June 24. Sturt, Ironmonger lane
Latter, Charles, Devonshire rd, Chiswick. June 10. Watson and Sons, Bridge rd, Hammersmith
Livius, Annette, Worthing, Sussex. June 8. Baker and Co, Lincoln's-inn-fields
Mac Queen, James Dundas, Russell rd, Kensington, Esq. June 13. Fladgate and Co, Craven st, Strand
Mason, Frances, Cambridge. July 4. Whitehead, Cambridge
Miles, Richard, Bewdley, Worcester, Bricklayer. Aug 1. Marcy, Bewdley
Pallister, Robert, East Hartburn, Durham, Gent. June 20. Lawson, Lombard st
Price, Edmund, Beaufort st, King's rd, Chelsea, Gent, July 1. Dingwall and Wall. Tokenhouse yard
Savill, John, Witham, Essex, Fruiterer. June 2. Beaumont and Warren, Coleman st
Sharp, John, Boston, Lincoln, Gent. June 8. Staniland and Wigelsworth
Thursfield, Rev Richard Periam, Sidbury, Salop. July 4. Thursfield, High st, Wednesbury
Topping, Stephen, Stoke Fleming, Devon, Esq. July 1. Wells, Founder's Hall
Trumper, Thomas, Harefield, Middlesex, Farmer. Aug 3. Batt, Uxbridge
Walby, James, Stock Orchard crescent, Caledonian rd, Gent. June 8. Baker and Co, Lincoln's inn fields
Westoby, Thomas, Kingston-upon-Hull, Grocer. July 12. Roberts and Leak, Kingston-upon-Hull
Whitaker, Rachel, Melton Hill, York. June 15. Wilson, Hull
Wilson, Barton, Liverpool, Gent. June 20. Whitley and Maddock, Liverpool
Withem, John, Pall Mall East, Esq. June 24. Parker and Co, St Michael's alley

TUESDAY, May 12, 1874.

Adams, Ann, Piddletown, Dorset. June 18. Andrews and Pope, Dorchester
Brown, Joseph, Derby, Framework Knitter. July 1. Sale, Derby
Dickinson, Thomas, Bilston, Stafford, Innkeeper. June 30. Mason, Bilston
Edwards, Margaret, Vron Llangollen, Denbigh. May 30. Richards, Llangollen
Holland, Rev George Thomas, South Cockerington, Lincoln. July 1. Wood, Louth
Lees, John, Manchester, Dealer in Artificial Teeth. August 7. Whitaker, Lancaster place, Strand
Marriott, Valentine Charles, Judd st, Brunswick square, Whitesmith. July 4. Greatbach, St John's Wood rd
Matts, Richard Shipley, Cropston, Leicester, Farmer. July 1. Miles and Co, Leicester
Mordaunt, Eliza, Liverpool. June 13. Garner, Lower Breck rd, Liverpool
Oxenden, Rev Charles, Barham, near Canterbury, Kent. June 24. Lakes and Co, Lincoln's inn
Patterson, Henry, Derby, Silk Throwster. July 6. Burton and Co, Nottingham
Rigg, Thomas, Kendal, Westmorland, Retired Draper. June 20. Bolton, Kendal
Rook, William, Tracen Tree, Cumberland, Yeoman. Aug 1. Carrick, Wigton
Satterley, Ann, Devonport, Devon, Haberdasher. June 10. Hawker, Devonport
Sidebottom, James, Manchester, Merchant. June 8. Hampson, Manchester
Smith, James, Manchester, Gent. June 1. Marlow, Manchester
Stephens, James, Portland rd, Notting Hill, out of business. July 1. Ford and Lloyd, Bloomsbury square
Turner, John Turner, Avon near Ringwood, Hants, Esq. June 15. Leman and Co, Lincoln's inn fields
Whitehead, Ann Simpson, Shrubland rd, Dalston. June 9. Layton, Suffolk lane, Cannon st
Whitworth, Benjamin, Snapethorpe, York, Farmer. June 17. Chadwick and Sons, Dewsbury
Williams, Mary Ann, Hart st, Mark lane, Perfumer. June 11. Reed and Lovell, Guildhall chambers, Basinghall st

Bankrupts.

TUESDAY, May 5, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Finney, William, Coal Exchange, Lower Thames st, Coal Merchant. Pet May 1. Spring-Rice. May 21 at 12
Pooley, Thomas Alexander, Cloak lane, Wine Merchant. Pet March 4. Hazlitt. May 27 at 1
Turnour, Heys, Kennington Park rd, Gent. Pet May 5. Hazlitt. May 27 at 11

To Surrender in the Country.

Atherton, Peter, and Charles Atherton, Manchester, Gas Meter Manufacturers. Pet May 5. Kay. Manchester, June 4 at 9.30
Bissix, Robert, Hanham, Gloucester, Boarnouse Keeper. Pet May 4. Harley. Bristol, May 21 at 12
Collins, Thomas Wedge, Birmingham, Jeweller. Pet May 6. Chauntler. Birmingham, May 29 at 11
Sudgeon, Robert, Stockport, Chester, Outfitter's Assistant. Pet May 1. Hyde. Stockport, June 15 at 12
Harvey, William Drew, Richmond, Surrey, Schoolmaster. Pet May 5. Willoughby. Wandsworth, May 22 at 10
Jackson, James, Epsom, Surrey, Licensed Victualler. Pet May 5. Rowland. Croydon, May 22 at 3
Owens, Edward, Brighton-le-Sands, Lancashire, Builder. Pet May 4. Watson. Liverpool, May 20 at 2
Taylor, Thomas, Dover, Kent, Corn Dealer. Pet May 6. Callaway. Canterbury, May 18 at 2
Timmis, John, Aspley, Stafford, Farmer. Pet May 2. Spilsbury. Stafford, May 22 at 10
Venables, William Murby, Bradford, York, Boot Manufacturer. Pet May 5. Robinson. Bradford, May 19 at 9
Wilkinson, John, Bradford, York, Commission Agent. Pet May 5. Robinson. Bradford, May 19 at 9

FRIDAY, May 8, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in the Country.

Bentham, Joseph jun, Ingleton, York, Farmer. Pet May 2. Thompson. Kendal, May 22 at 11
Goulding, Thomas, George Howe, and J W Newbold, Llanfynydd Quarries, Flint, Lime, and Stone Dealers. Pet April 30. Reid. Wrexham, May 19 at 12
Mc Whirr, William Redbourne, Hertford, Blacksmith. Pet May 1. Edwards. St Alban's, May 19 at 10
Prichard, William, Penrose, Monmouth, Farmer. Pet April 29. Roberts. Newport, May 19 at 12
Topham, Moses, Bradford, Stuff Manufacturers. Pet May 1. Robinson. Bradford, May 19 at 9
Neill, George, Orchard st, Wandsworth, Baker. Pet April 14. Willoughby. Wandsworth, May 22 at 11
Wilks, William T , and William Jenkins, Swansea, Glamorgan, Coal Merchants. Pet April 30. Jones. Swansea, May 16 at 12
Wrigley, James, and John Bayley Wrigley, Manchester, Stock and Share Brokers. Pet April 30. Kay. Manchester, May 21at 9

TUESDAY, May 12, 1874.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar

To Surrender in London.

Dowel, Benjamin, and Linton Priddle, Royal Exchange buildings. Pet April 30. Roche. May 23 at 11.30
Oliver, James William, High Holborn, Tailor. Pet May 8. Murray June 2 at 11

To Surrender in the Country.

Bliss, Charles, Monmouth, Accountant. Pet May 8. Roberts. Newport, May 29 at 1
Gibson, John Henry, and George Gibson, Sheffield, Stock Brokers. Pet April 23. Wake. Sheffield, May 22 at 1
Rawstron, John, Whitworth, Lancashire, Cotton Manufacturer. Pet May 7. Tweedale. Oldham, May 23 at 11
Waldie, William, and Edmund Waldie, Bedlington, Northumberland, Watchmakers. Pet May 9. Mortimer. Newcastle, May 27 at 12

BANKRUPTCIES ANNULLED.

TUESDAY, May 5, 1874

Raynor, Robert, Burbrge, Derby, Grocer. May 5
Jennings, Charles Richards, Clerk, Prisoner for Debt, London. April 17

FRIDAY May 8, 1874.

Lichfield, William, Anerley, Surrey, Market Gardener. April 20

TUESDAY, May 12, 1874.

Thompson, John, Edgware rd, Upholsterer. May 9

Liquidation by Arrangement.

FIRST MEETINGS OF CREDITORS.

TUESDAY, May 5, 1874.

Agne, Michael, Smethwick, Stafford, Cab Proprietor. May 20 at 3 at the Waggon and Horses Hotel, Oldbury
Arrowsmith, George Pattinson, Prospect place, Cambridge Heath, Chemist. May 27 at 3 at offices of Holloway, Ball's Pond rd. Fenton, Colebrooke, row, Islington
Ashton, Nicholas Taylor, St Ives, Cornwall, Chemist. May 14 at 3 at the White Hart Hotel, Hayle. Hearle, Hayle
Atkins, Arthur James, Bridport st, Blandford square, Builder. May 18 at 10 at the Pine Apple Hotel, Carlisle st, Portman Market. Fulcher, Basinghall st
Atlee, John, Seething lane, Wine Cooper. May 13 at 2 at 26, Seething lane. Scoker, Gray's inn square
Barde, Jean Emile Henry, Cologne rd, New Wandsworth, Merchant's Clerk. May 13 at 11 at offices of Haigh, jun, King st, Cheapside

Barrett, James Bowen, New inn, Strand, Solicitor. May 15 at 2 at offices of Coker, Cheapside. Nethersole

Barron, William Bosworth, Preston, Lancashire, Draper. May 15 at 2 at the Home Trade Association Rooms, York st. Edelston, Preston

Beadel, Alfred, Newcastle-upon-Tyne, Chemist. May 19 at 12 at offices of Watson, Pilgrim st, Newcastle-upon-Tyne

Beavis, Robert, Ventnor, Isle of Wight, Carpenter. May 16 at 12 at the Star Hotel, Newport. Philbrick, Southampton

Bidmead, Joseph, South Brent, Devon, Licensed Victualler. May 16 at 4 at the Mount Pleasant Hotel, Mount Pleasant terrace, Plymouth, Nepean, Ivybridge

Bingham, Frank, Old Trafford, near Manchester, out of business. May 25 at 3 at offices of Addlesnaw and Warburton, King st, Manchester

Birch, John Robert, Aldeburgh, Suffolk, Coal Merchant. May 16 at 10 at offices of Jackaman and Sons, Silent st, Ipswich

Bouch, Robert Miller, Liverpool, Coal Merchant. May 18 at 2 at offices of Stephenson, Harrington st, Liverpool

Bowden, Archibald Jenkins, Rosoman st, Clerkenwell, Fruiterer. May 19 at 2 at offices of Knox and Mould, Newgate st

Brown, Archibald, Barrow-in-Furness, Lancashire, Tailor. May 13 at 11 at the Ship Inn, Barrow-in-Furness. Bradshaw, Barrow-in Furness

Burn, Thomas, Sunderland, Durham, Chemist. May 19 at 11 at offices of Skinner, John st, Sunderland

Burton, William, Warwick, Cordwainer. May 13 at 12 at offices of Sanderson, Northgate st, Warwick

Channon, Thomas, Alphington, Devon, Baker. May 16 at 4 at 77, Union st, St Thomas the Apostle

Charnley, Richard, Ulverston, Shipbuilder. May 15 at 2 at the Temperance Hall, Ulverston. Poole, Ulverston

Coghlan, Mary Catherine, Orchard st, Portman square, Scholastic Agent. May 27 at 2 at 201, Portland st. Wright and Nicoll

Collins, Edward James Mortimer, Wargrave, Berks, Author. May 19 at 12 at offices of Tidy and Co, Friar st, Reading

Davey, Elizabeth Ann, St Mary Cray, Kent, Lodging house Keeper. May 18 at 2 at offices of Chinery and Aldridge, Fenchurch st

Dennis, Joseph, Parkside, Knightsbridge, Tailor. May 15 at 2 at offices of Coker, Cheapside. Nethersole

Eames, James, Kingsley, Southampton, Miller. May 22 at 12 at offices of Eve, Victoria rd, Aldershot

Farley, Samuel, Wakefield st, Gray's inn rd, Builder. May 13 at 10 at the Victoria Tavern, Morpeth rd, Victoria Park. Long, Blackfriars rd

Field, James, Tipton, Stafford, Draper. May 14 at 11 at offices of Parker, Lombard court

Fielder, Frederick, Emsworth, Southampton, Innkeeper. May 16 at 2.30 at offices of Whittaker, Sussex rd. King, Portsea

Foster, Alfred Thomas, Great Bowden, Leicester, Coal Merchant. May 19 at 1 at offices of Owston, Friar lane, Leicester

Foster, Joseph, Cainbridge villas, Northumberland Park, Tottenham, out of business. May 18 at 3 at offices of Buckler and Co, Fenchurch street

Gatward, William, Wheathampstead, Hertford, Bootmaker. May 15 at 4 at the George Inn, St Albans. Annesley St Albans

Greaves, George, Accrington, Lancashire, out of business. May 18 at 11 at offices of Plant and Abbott, Cannon st, Preston

Greaves, Joseph, Weardley, York, Farmer. May 16 at 2 at the Three Legs Inn, Wetherby. Coates

Hallas, Joseph, Sunderland, Durham, Hosier. May 21 at 2 at offices of Wright, John st, Sunderland

Hampson, Peter, Bolton, Lancashire, Druggist. May 18 at 3 at offices of Dawson, Exchange st, East Bolton

Harding, William Henry, Birmingham, Boot Dealer. May 15 at 12 at offices of Pointon, Edmund st, Birmingham

Harrison, John Henry, Friday st, Mantle Manufacturer. May 21 at 2 at the Guildhall Coffee house, Gresham st. Holland, Knight Rider st

Hathway, William, Bristol, Grocer. May 15 at 12 at offices of Denning and Co, Shannon court, Bristol. Henderson and Co, Bristol

Heath, William, Burslem, Stafford, Grocer. May 9 at 11 at offices of Tomkinson, Hanover st, Burslem

Helliwell, James, Batley, York, Woollen Manufacturer. May 18 at 3 at the Batley Railway Station Hotel, Batley. Wainwright and Co, Wakefield

Hill, Samuel, Blackfriars rd, Shop Fitter. May 16 at 11 at at offices of Robinson, Fleet st

Hunt, Ralph, woodside, Surrey, Clerk. May 14 at 3 at offices of Betteley, London wall

Hunt, Peter, Congleton, Chester, Silk Throwster. May 16 at 11 at offices of Cooper, Townhall passage, Congleton

Jacksohn, Hermann, Manchester, Dyer. May 21 at 3 at offices of Grundy and Kershaw, Booth st, Manchester

Jennings, Jesse, Canterbury, Butcher. May 19 at 1 at the Rose Hotel, Canterbury. De Lasaux, Canterbury

Jones, Alfred, Bristol, Commission Agent. May 13 at 11 at offices of Clifton. Corn st, Bristol

Jones, Hugh, Caergeiliog, Anglesey, Farmer. May 16 at 1 at the George Inn, Market st, Holyhead. Jones, Menai Bridge

Joyce, Edward, Congleton, Chester, Printer. May 19 at 11 at the Angel Hotel, Macclesfield. Cooper, Congleton

Joyce, James Smith, Brixton Brewery, Brewer. May 15 at 2 at offices of Harper and Co, Rood lane

Kelly, Benjamin James, Kingston-upon-Hull, Tailor. May 18 at 1 at offices of Summers, Manor st, Kingston-upon-Hull

Kendall, William, Winterton, Lincoln, Innkeeper. May 15 at 12 at the George Hotel, Kingston-upon-Hull. Mason, Barton-upon-Humber

Lane, John, Dover, Kent, Plumber. May 16 at 4 at offices of Cogswell, Gracechurch st. Hicks, Annis rd, South Hackney

Leach, Samuel, Denton, Lancashire, Hat Manfacturer. May 18 at 3 at the Norfolk Arms Hotel, Hyde. Smith

Liddle, William, West Hartlepool, Durham, Joiner. May 15 at 12 at offices of Dobing and Simpson, Church st, West Hartlepool

Lincoln, James, Hereford cottages, Hammersmith, House Decorator. May 16 at 4 at 15, Cursitor st, Chancery lane

Marks, Henry, and Simon Marks, Newcastle-upon-Tyne, out of business. Aug 4 at 11 at offices of Johnston, Pilgrim st, Newcastle-upon-Tyne

Martin, William, Miles Platting, Lancashire, Fustian Cutter. May 15 at 3 at the Grey Mare inn, Varley st

Martyr, Thomas Wheeler, Jewin st, Aldersgate st, Assistant Salesman. May 14 at 12 at offices of Bath and Co, King William st. Lovett King William st

Mason, George, Acton, Ironmonger. May 20 at 12 at the Guildhall Coffee house, Gresham st. Treherne and Wolferstan, Ironmonger lane

Melville, James, Manchester, Insurance Agent. May 18 at 4 at offices of Best, Brown st, Manchester

Mensley, John, High st, Camden Town, Boot Maker. May 14 at 2 at, the Guildhall Tavern, Gresham st. Anning, Poultry

Muschamp, George, Batley, York, Draper. May 19 at 12 at the Queen's Hotel, Bridge st, Bradford. Wooler, Batley

Neeve, Henry, Sproughton, Suffolk, Miller. May 21 at 12 at 10, Queen st, Ipswich. Josselyn and Sons

Paulizky, Philipp, Garrett lane, Wandsworth, Baker. May 26 at 3 at offices of Cooper, Charing cross

Pearson, William, and Thomas Binns, Lower Broughton, Lancashire, Builders. May 22 at 3 at offices of Rowley and Co, Clarence buildings, Manchester

Poole, George, Bristol, Dentist. May 13 at 2 at offices of Beckingham, Albion chambers, Broad st, Bristol

Porter, James, Richmond, Surrey, Auctioneer. May 19 at 3 at offices of Hicklin and Washington, Trinity square, Borough

Potter, Charles Bentfield, Welwyn, Hertford, Grocer. May 20 at 3 at offices of Broad and Co, Queen st, Cheapside. Aird, Eastcheap

Raine, John, Salford, Lancashire, Linen Draper. May 13 at 11 at 8, York st, Manchester. Sale and Co, Manchester

Ramsden, George, Dewsbury, York, Oil Extractor. May 19 at 2 at offices of Fryer, Church st, Dewsbury

Rook, Robert, Fulford, near York, out of business. May 22 at 3 at the Five Lions Hotel, York. Richardson, Scarborough

Row, Henry Odes, Plymouth, Devon, Rag Merchant. May 16 at 12 at offices of Brian, Freemasons' Hall, Cornwall st, Plymouth

Sanders, William Henry, Irthlingborough, Northampton, Currier. May 15 at 3 at offices of Sherwood, Sheep st, Wellingborough

Shepherd, William Towse, Scarborough, York, Confectioner. May 20 at 12 at offices of Drawbridge and Rowntree, Newborough st, Scarborough

Simpson, Zephaniah, Furringdon st, Draper. May 20 at 2 at 145, Cheapside Clarke and Co, Gresham house

Singleton, David, Pendlebury, Lancashire, Builder. May 20 at 11 at offices of Jones, Princess st, Manchester

Smith, Samuel, Colchester, Essex, Innkeeper. May 18 at 4 at offices of Jones, Butt rd, Colchester

Stark, Peter, New St Cross, Isle of Wight, Dairyman. May 16 at 11 at the Star Hotel, Newport. Philbrick, Southampton

Thomas, John, Penyceunant Rhostryfan, Carnarvon, Joiner. May 18 at 11 at the Queen's Hotel, Carnarvon

Topham, George Naylor, Thornbury, York, Clerk. May 19 3 at offices of Peel and Gaunt, Chapel st, Bradford

Tyler, George, Spalding, Lincoln, Tobacconist. May 18 at 3 at offices of Gaches, Cathedral gateway, Peterborough

Vine, John, Redruth, Cornwall, Travelling Draper. May 19 at 2.30 at offices of Downing, Redruth. Dendy, Redruth

Walker, Joseph, Heckmondwike, York, Ironfounder. May 21 at 3 at the Black Bull Inn, Mirfield. Iveson, Heckmondwike

Waters, Edmund, New Romney, Kent, Carpenter. May 19 at 11 at the Royal Oak Hotel, Ashford. Langham, Hastings

Wilkins, Thomas, sen, and Thomas Wilkins, jun, Rugby, Warwick, Builders. May 19 at 11 at the Lawrence Sheriff's Arms Hotel, Rugby. Fuller, Rugby

Williams, William Jones, and Henry Vaughan, Coleman st, Tea and Coffee Dealers May 18 at 2 at offices of Bradley, Mark lane

Witherington, Richard, Sunderland, Ironmonger. May 22 at 3 at offices of Fairclough, Sunniside, Sunderland

Wood, Thomas, Bradford, York, Wheelwright. May 19 at 10 at offices of Peel and Gaunt, Chapel lane, Bradford

FRIDAY, May 8, 1874.

Adamson, John, Bilston, Stafford, Hairdresser. May 23 at 3 at offices of Bowen, Mount Pleasant, Bilston

Anderson, William, Liverpool, Currier. May 28 at 2 at the Law Association Rooms, Cook st, Liverpool. Bartley, Liverpool

Betteridge, Samuel, Birkenhead, Cheshire, Ironmonger. May 20 at 2 at offices of Thompson and Simm, Hamilton square, Birkenhead. Downham, Birkenhead

Bilbee, James, Willow walk, Bermondsey, Carman. May 16 at 10 at the Claremont Arms Coffee Room, Upper Grange rd, Bermondsey. Rigby

Bluff, Robert, Median rd, Lower Clapton, Greengrocer. May 18 at 2 at offices of Godwin, North buildings, Finsbury. Anning, Poultry

Brown, George, Lozells, Aston, Warwick, Jeweller. May 19 at 12 at offices of Hodgson, Waterloo st, Birmingham

Brown, James, Ashurst, Kent, Builder. May 20 at 4 at offices of Stone and Simpson, Church rd, Tunbridge Wells

Bryant, Edward Ross, and Henry Walker Kerrich, Newcastle-upon-Tyne, Spanish Merchants. May 28 at 11 at offices of Ingledew and Daggett, Dean st, Newcastle-upon-Tyne

Cheesman, Thomas, Newcastle-upon-Tyne, Iron Merchant. May 21 at 2 at offices of Hodge and Harle, Wellington place, Pilgrim st, Newcastle-upon-Tyne

Clark, William, jun, Bradford, York, Butcher. May 20 at 10 at offices of Peel and Gaunt, Chapel lane, Bradford

Collion, Thomas, Milton st, Finsbury, Umbrella Stick Manufacturer. May 21 at 2 at 145, Cheapside. Rooke and Co, King st, Cheapside

Cozon, William, Leeds, Pawnbroker. May 19 at 3 at offices of North and Sons, East parade, Leeds

Davy, William Wellington, Beccles, Suffolk, Plumber. May 21 at 3 at offices of Kent, St Andrew's Hill plain, Norwich

Dean, Leonard Gamull, Hampton, Salop, Miller. May 19 at 12 at the Black Horse Inn, Bridge st, Low Town, Bridgnorth. Greenway, Wolverhampton

Dewhirst, Albert, Halifax, York, Ale Dealer. May 22 at 11 at offices of Wavell, George st, Halifax

Driver, John, Birkenhead, Cheshire, Boot Maker. May 20 at 11 at offices of Anderson, Duncan st, Birkenhead

Driver, Robert, Bradford, York, Top Maker. May 19 at 3 at offices of Wood and Killick, Commercial Bank buildings, Bradford

Dyke, John, Holloway rd, Islington, Ice Safe Manufacturer. May 27 at 3 at offices of Child, Paul's Bakehouse court, Doctors' Commons

Eskrigge, Henry Bridgman, Liverpool, Cotton Broker. May 27 at 2 at offices of Gibson and Bolland, South John st, Liverpool. Anderson and Co, Liverpool

Evans, Roderick, Lee, Kent, Draper. May 22 at 11 at offices of Robinson, Basinghall st

Field, James, Tipton, Stafford, Draper. May 14 at the Queen's Hotel, Birmingham, in lieu of the place orginally named

Foster, John, and William Roberts Hinings, Bradford, York, Woolstaplers. May 23 at 10 at offices of Watson and Dickons, Market st, Bradford

Friend, Julius, Middlesborough, York, Hosier. May 15 at 11 at offices of Bennison and Co, Zetland rd, Middlesborough. Dobson, Middlesborough

Gore, James, and Richard Witherington, Sunderland, Ironmongers. May 22 at 2 at offices of Fairclough, West Sunniside, Sunderland

Grabham, Anne Hall, Porchester terrace, Uxbridge rd, Lodging house Keeper. May 15 at 2 at the Inns of Court Hotel, High Holborn. Berry, Chancery lane

Grange, John, Middlesborough, York, Insurance Agent. May 22 at 11 at Barker's Temperance Hotel, Bridge st West, Middlesborough. Bainbridge, Middlesborough

Green, Samuel, Hadleigh, Suffolk, Grocer. May 25 at 11 at offices of Watts, Butter market, Ipswich

Green, Thomas, Darlington, Durham, Gardener. May 21 at 11 at office of Clayhills, Coniscliffe rd, Darlington

Greenhough, Lister, Dudley Hill, near Bradford, York, Wool Top Maker. May 20 at 11 at offices of Watson and Dickons, Market st, Bradford

Hall, Sarah, Rochdale, Lancashire. Innkeeper. May 22 at 3 at offices of Roberts and Son, John st, Rochdale

Hart, Henry, Brighton, Sussex, Boot Maker. June 2 at 1 at offices of Smith and Co, Bread st, Cheapside. Lamb, Brighton

Hilditch, John, Earlestown, Lancashire, Tailor. May 22 at 3 at offices of Davies and Co, Bewsey st, Warrington

Holberry, Bryan, West Retford, Notts, Farmer. May 22 at 10 at offices of Newton and Jones, East Retford

Holt, Richard, Crawshaw Booth, Lancashire, Labourer. May 21 at 3 at the Derby Hotel, St James' st, New Accrington. Hall and Holland, Accrington

Humphrey, Maurice, Northfleet, Kent, Coal Merchant. May 26 at 1 at offices of Pullen, Harp lane, Great Tower st

Insull, Henry, Fore st, Skirt Manufacturer. May 18 at 12 at 33, Gutter lane. Gray, Gresham st

Jackman, James Tyndale, Bulstrode, Hounslow, Architect. May 19 at 12 at the Northumberland Arms Hotel, Isleworth. Gowing, Coleman st

Jackson, John, Kirkham, Lancashire, Cattle Dealer. May 21 at 1 at offices of Dickson, Church st, Kirkham

Kendall, William, Winterton, Lincoln, Innkeeper. May 22 at 12 at the George Hotel, Kingston-upon-Hull. Mason, Barton-upon-Humber

Kiddle, Mary, Chelmsford, Essex, Watchmaker. May 27 at 2 at offices of Jones, Tindal square, Chelmsford

Lamb, James Benjamin, Rochester, Kent, Hairdresser. May 22 at 11 at offices of Hayward, High st, Rochester

Lancaster, James, Tottenham court rd, Upholsterer. May 23 at 2 at offices of Briant, Winchester House, Old Broad st

Lane, James, Broadclough, Lancashire, Draper. May 22 at 3 at the Market Hotel, Market st, Bacup. Hartley, Burnley

Lane, John, Gloucester, Draper. May 20 at 2 at office of Tayton and Son, Clarence st, Gloucester

Legge, Benjamin, and Richard Gwinnett, Great Bridge, Stafford, Tube Manufacturers. May 22 at 12 at the Talbot Hotel, Oldbury. Shakespeare, Oldbury

Lenard, William Webb, St George's rd, Southwark, Billiard Table Manufacturer. May 20 at 2 at offices of Blachford and Riches, Great Swan alley, Moorgate st

Littlewood, Benjamin, Hyde, Cheshire, Licensed Victualler. May 22 at 3 at office of Turner, Queen st, Sheffield

Light, James, Bilston, Stafford, Labourer. May 18 at 12 at offices of Duignan and Co, the Bridge, Walsall

Louis, Gustavus, Watling st, Merchant. May 21 at 3 at office of Stocken and Jupp, Lime st square

Manley, William, Burnley, Lancashire, Pork Butcher. May 21 at 3 at office of Baldwin, Ormerod st, Burnley

Palmer, Anne Sophia, Clifford st, Bond st. May 22 at 2 at offices of Layton, Suffolk lane, Cannon st

Parker, William Alfred, Oldham, Lancashire, Cotton Spinner. June 2 at 3 at the Clarence Hotel, Spring gardens, Manchester. Leigh, Manchester

Parry, Henry, Kirton in Lindsey, Lincoln, Coal Merchant. May 22 at 11 at office of Grange and Wintringham, West St Mary's gate, Great Grimsby

Payne, James, Kingston-upon-Hull, Grocer. May 20 at 3 at offices of Laverack, County buildings, Land of Green Ginger, Kingston-upon-Hull

Pearson, William, and Thomas Binns, Lower Broughton, Lancashire, Builders. May 22 at 4 at offices of Rowley and Co, Clarence buildings, Booth st, Manchester

Pond, Reuben William, Landport, Hants, Butcher. May 21 at 3 at office of Wainscott, Union st, Portsea. Blake, Portsea

Prangley, Richard Figes, Southampton, Auctioneer. May 18 at 11 at offices of Guy, Albion terrace, Southampton

Prime, Edward, Plaistow, Essex, Publican. May 15 at 1 at 33, Gutter lane, Cheapside. Wood and Co

Russell, John, Hastings, Sussex, Ironmonger. May 20 at 12 at office of Miller and Miller, Sherborne lane. Savery, Hastings

Sansome, William, Salford, Lancashire, Grocer. June 2 at 3 at office of Addleshaw and Warburton, King st, Manchester

Scholes, John, Manchester, Yarn Agent. May 20 at 3 at office of Boyle, Cheapside, Manchester. Clayton, Manchester

Scott, Joshua, Huddersfield, York, Manufacturer of Ropes. May 13 at 2 at the White Swan Hotel, Huddersfield. Freeman, Huddersfield

Sears, John Nicholas, Lee, Kent, Fancy Stationer. May 21 at 2 at offices of Macarthur, John st, Bedford row

Short, William James, Taunton, Somerset, Innkeeper. May 22 at 10 at offices of Reeves, Mary st, Taunton

Shorter, Robert Alfred, High st, St John's Wood, Cornchandler. May 15 at 4 at offices of York, Marylebone rd

Silverston, Zateg, Marchmont st, Brunswick square, Jeweller. May 16 at 11 at offices of Willis, St Martin's court, Leicester square

Skeet, Henry, and Robert Henry Skeet, Cheapside, Woollen Warehousemen. May 22 at 3.30 at the George Hotel, Huddersfield. Barker and Sons, Huddersfield

Smart, Frank, Nottingham, Printer. May 27 at 12 at offices of Belk, Middle pavement, Nottingham

Smith, George, Great Parndon, Essex, Farmer. May 20 at 3 at offices, of Unwin and Co, Harlow

Smith, Peter, Union rd, Borough, Lamp Manufacturer. May 18 at 2 at 145, Cheapside. Chapman, Cheapside

Smith, Richard Collins, Lime st, Merchant. May 27 at 2 at offices of Worley, Fenchurch st. Simpson and Cullingford, Gracechurch st

Sommet, Jules, Fitzroy st, Fitzroy square, French Coppersmith. May 20 at 11 at the Law Institution, Chancery lane. Haynes, Croydon

Spencer, John Alexander, Ealing Dene, Ealing, Photographer. May 15 at 1 at offices of Dalston, Piccadilly

Squire, Thomas, Southend, Essex, Grocer, May 20 at 11, at the Guildhall Tavern, Gresham st. Chorley and Crawford, Moorgate st

Stephens, Henry Josiah, Charlotte st, Portland-place, Builder. May 16 at 3 at office of Boydell, South-square, Gray's-inn

Stone, Thomas, and Joseph Stone, Skilgate, Somerset, Farmers. May 23 at 11 at the London Hotel, Taunton. Lovibond and Son, Bridgewater

Stowe, John Charles, Blackburn, Lancashire, Butcher. May 28 at 3 at office of Hall and Holland, Northgate, Blackburn

Thomas, William, Barton Hill, Bristol, Haulier. May 16 at 11, at office of Clifton, Corn st, Bristol

Thompson, Barzillai, Kessingland, Suffolk, Fishing boat owner. May 27 at 12 at office of Seago, High st, Lowestoft

Waterman, Elizabeth, South Benfleet, Essex, Shopkeeper. May 23 at 11 at offices of Whites and Co, Budge row, Cannon st. Megay

Whincup, Samuel, Moldgreen, York, General Dealer. May 22 at 3 at offices of Mills and Mellor, Byram buildings, Huddersfield

Whitehead, William Henry, Liverpool, Tailor. May 21 at 3 at offices of Milnes, New st, Huddersfield

Williams, David Salter, Yeovil, Somerset, Draper. May 23 at 11 at offices of Gamble and Harvey, Gresham buildings, Basinghall st. Watts, Yeovil

Williams, James, Devizes, Wilts, Coal Merchant. May 18 at 1 at the Black Swan Inn, Devizes. Shrapnell, Bradford-on-Avon

Wood, Charles, Exeter, News Agent. May 16 at 3 at 9, Milk st, Exeter

Wray, Thomas, Kingston-upon-Hull, Butcher. May 19 at 3 at offices of Laverack, County buildings, Land of Green Ginger, Kingston-upon-Hull

Wright, Murrell, Leeds, Bank Accountant. May 21 at 3 at offices of North and Sons, East parade, Leeds

UNITED LAW CLERKS' SOCIETY.

PATRONS.

THE RIGHT HON. LORD CAIRNS, THE LORD HIGH CHANCELLOR.
THE RIGHT HON. LORD CHELMSFORD. | THE RIGHT HON. LORD SELBORNE.

TRUSTEES.

FRANCIS T. BIRCHAM, ESQ.
ARNOLD W. WHITE, ESQ. | FREDERIC OUVRY, ESQ.

THE FORTY-SECOND ANNIVERSARY FESTIVAL

WILL TAKE PLACE (BY THE KIND PERMISSION OF THE BENCHERS) AT

LINCOLN'S INN HALL,

ON FRIDAY, THE 19TH DAY OF JUNE, 1874.

THE RIGHT HON. THE LORD CHIEF JUSTICE OF ENGLAND
IN THE CHAIR.

ACTING STEWARDS.

MR. W. BUTCHER.	MR. J. GREEN.	MR. G. H. WHITTELL.
MR. E. COX.	MR. W. E. JONES.	MR. H. T. WOOD.
MR. C. G. DENT.	MR. S. W. KING.	MR. J. C. WORMAN.
MR. W. H. FRAYLING.	MR. W. J. G. MAY.	MR. W. F. WYBROO.
MR. E. D. GARWOOD.	MR. W. NOAD.	

TICKETS ONE GUINEA.

DINNER ON TABLE AT SIX O'CLOCK PRECISELY.

2, Serjeants' Inn, Chancery Lane. HARRY G. ROGERS, Hon. Sec.

MANSION HOUSE BENGAL FAMINE RELIEF FUND.

Under the patronage of her Most Gracious Majesty the QUEEN who contributes £1,000; H.R.H. the Prince of WALES, who subscribes £900; and H.R.H. the Duke of EDINBURGH, whose donation is £250.

The Right Hon. ANDREW LUSK, M.P., Lord Mayor, Chairman.

At a PUBLIC MEETING held in the Egyptian Hall of the Mansion House, on Tuesday, April 14, 1874—the Right Hon. the LORD MAYOR in the chair—the following resolutions were unanimously carried:—

Proposed by the Most Hon. the MARQUIS of SALISBURY (Secretary of State for India), and seconded by the Right Hon. LORD LAWRENCE, G.C.B.:—"That this meeting is convinced that the distress which prevails in certain districts in the Provinces of Bengal and Behar is severe and widespread, and certain to continue for many months. It therefore appeals to the people of England to come forward and assist in the efforts which the Government of India are making to meet the calamity and save human life."

Proposed by Professor FAWCETT, and seconded by the Right Hon LORD STANLEY of ALDERLEY:—"That this meeting, fully impressed with the necessity of continued exertion to augment the means of charitable relief in the famine-stricken districts, pledges itself to support the efforts of the Mansion House Executive Relief Committee to raise further subscriptions, and is strongly of opinion that this Committee should not relax in its appeals to the public."

Proposed by Mr. C. MERNESHEYA, and seconded by Mr. ARBUTHNOT:—"That the best thanks of this meeting be given to the Right Hon. the LORD MAYOR for his conduct in the chair."

The funds subscribed will be devoted to the alleviation of distress which cannot easily be reached by Governmental interference.

Subscriptions may be forwarded to the LORD MAYOR, or the following banks: The Imperial Bank, Lothbury, E.C.; Messrs. Glyn, Mills, and Co., Lombard-street; Messrs. Coutts and Co., 59, Strand; Messrs. Herries, Farquhar, and Co., St. James's-street, S.W.; and National Bank of India, 80, King William-street. Cash payments should be made in the office of the Private Secretary to the LORD MAYOR (Mr. VINE), at the Mansion House.

JOHN R. S. VINE, Secretary.
May 15th, 1874. G. J. W. WINZAR, Cashier.